

lows: “Subsection (a) applies with respect to any protest filed under subchapter V of chapter 35 of this title or under section 111(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759(f)).”

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104–106 effective 180 days after Feb. 10, 1996, see section 5701 of Pub. L. 104–106, div. E, title LVII, Feb. 10, 1996, 110 Stat. 702.

### SUBTITLE III—FINANCIAL MANAGEMENT

Chap.		Sec.
<b>31.</b>	<b>Public Debt .....</b>	<b>3101</b>
<b>33.</b>	<b>Depositing, Keeping, and Paying Money .....</b>	<b>3301</b>
<b>35.</b>	<b>Accounting and Collection .....</b>	<b>3501</b>
<b>37.</b>	<b>Claims .....</b>	<b>3701</b>
<b>38.</b>	<b>Administrative Remedies for False Claims and Statements .....</b>	<b>3801</b>
<b>39.</b>	<b>Prompt Payment .....</b>	<b>3901</b>

#### AMENDMENTS

1986—Pub. L. 99–509, title VI, §6103(b), Oct. 21, 1986, 100 Stat. 1948, added item for chapter 38.

1983—Pub. L. 97–452, §1(18)(B), Jan. 12, 1983, 96 Stat. 2477, added item for chapter 39.

### CHAPTER 31—PUBLIC DEBT

#### SUBCHAPTER I—BORROWING AUTHORITY

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3130.	Annual public debt report.

#### AMENDMENTS

2011—Pub. L. 112–25, title III, §301(b), Aug. 2, 2011, 125 Stat. 255, added item 3101A.

1993—Pub. L. 103–202, title II, §201(b), Dec. 17, 1993, 107 Stat. 2356, added item 3130.

#### SUBCHAPTER I—BORROWING AUTHORITY

##### § 3101. Public debt limit

(a) In this section, the current redemption value of an obligation issued on a discount basis

and redeemable before maturity at the option of its holder is deemed to be the face amount of the obligation.

(b) The face amount of obligations issued under this chapter and the face amount of obligations whose principal and interest are guaranteed by the United States Government (except guaranteed obligations held by the Secretary of the Treasury) may not be more than \$14,294,000,000,000, outstanding at one time, subject to changes periodically made in that amount as provided by law through the congressional budget process described in Rule XLIX<sup>1</sup> of the Rules of the House of Representatives or as provided by section 3101A or otherwise.

(c) For purposes of this section, the face amount, for any month, of any obligation issued on a discount basis that is not redeemable before maturity at the option of the holder of the obligation is an amount equal to the sum of—

(1) the original issue price of the obligation, plus

(2) the portion of the discount on the obligation attributable to periods before the beginning of such month (as determined under the principles of section 1272(a) of the Internal Revenue Code of 1986 without regard to any exceptions contained in paragraph (2) of such section).

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 938; Pub. L. 98–34, §1(a), May 26, 1983, 97 Stat. 196; Pub. L. 98–161, Nov. 21, 1983, 97 Stat. 1012; Pub. L. 98–342, §1(a), July 6, 1984, 98 Stat. 313; Pub. L. 98–475, Oct. 13, 1984, 98 Stat. 2206; Pub. L. 99–177, §1, Dec. 12, 1985, 99 Stat. 1037; Pub. L. 99–384, Aug. 21, 1986, 100 Stat. 818; Pub. L. 100–119, §1, Sept. 29, 1987, 101 Stat. 754; Pub. L. 101–72, §2, Aug. 7, 1989, 103 Stat. 182; Pub. L. 101–140, §1, Nov. 8, 1989, 103 Stat. 830; Pub. L. 101–508, title XI, §11901[(a)], Nov. 5, 1990, 104 Stat. 1388–560; Pub. L. 103–66, title XIII, §13411(a), Aug. 10, 1993, 107 Stat. 565; Pub. L. 104–121, title III, §301, Mar. 29, 1996, 110 Stat. 875; Pub. L. 105–33, title V, §5701, Aug. 5, 1997, 111 Stat. 648; Pub. L. 107–199, §1, June 28, 2002, 116 Stat. 734; Pub. L. 108–24, May 27, 2003, 117 Stat. 710; Pub. L. 108–415, §1, Nov. 19, 2004, 118 Stat. 2337; Pub. L. 109–182, Mar. 20, 2006, 120 Stat. 289; Pub. L. 110–91, Sept. 29, 2007, 121 Stat. 988; Pub. L. 110–289, div. C, title III, §3083, July 30, 2008, 122 Stat. 2908; Pub. L. 110–343, div. A, title I, §122, Oct. 3, 2008, 122 Stat. 3790; Pub. L. 111–5, div. B, title I, §1604, Feb. 17, 2009, 123 Stat. 366; Pub. L. 111–123, §1, Dec. 28, 2009, 123 Stat. 3483; Pub. L. 111–139, Feb. 12, 2010, 124 Stat. 8; Pub. L. 112–25, title III, §301(a)(1), Aug. 2, 2011, 125 Stat. 251.)

<sup>1</sup> See References in Text note below.

## HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3101(a) .....	31:757b(last sentence).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §21; added Feb. 4, 1935, ch. 5, §5, 49 Stat. 21; May 26, 1938, ch. 285, §2, 52 Stat. 447; July 20, 1939, ch. 336, 53 Stat. 1071; June 25, 1940, ch. 419, §302, 54 Stat. 526; Feb. 19, 1941, ch. 7, §2(a), 55 Stat. 7; Mar. 28, 1942, ch. 205, §2, 56 Stat. 189; Apr. 11, 1943, ch. 52, §2, 57 Stat. 63; June 9, 1944, ch. 240, §2, 58 Stat. 272; Apr. 3, 1945, ch. 51, §2, 59 Stat. 47; June 26, 1946, ch. 501, §1, 60 Stat. 316; restated Sept. 2, 1958, Pub. L. 85-912, 72 Stat. 1758; June 30, 1959, Pub. L. 86-74, §1, 73 Stat. 156; June 30, 1967, Pub. L. 90-39, §1, 81 Stat. 99; Apr. 7, 1969, Pub. L. 91-8, §1, 83 Stat. 7; June 30, 1970, Pub. L. 91-301, §1, 84 Stat. 368; Mar. 17, 1971, Pub. L. 92-5, §1, 85 Stat. 5; Sept. 29, 1979, Pub. L. 96-78, §202, 93 Stat. 591.
3101(b) .....	31:757b(1st sentence).	
3101(c) .....	31:757b-1.	June 30, 1967, Pub. L. 90-39, §2, 81 Stat. 99.

In subsection (a), the words “is deemed to be” are substituted for “shall be considered . . . to be” because a legal fiction is intended.

## REFERENCES IN TEXT

The Rules of the House of Representatives for the One Hundred Sixth Congress were adopted and amended generally by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999. Provisions formerly appearing in Rule XLIX, referred to in subsec. (b), were contained in Rule XXIII, which was subsequently repealed by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

Section 1272(a) of the Internal Revenue Code of 1986, referred to in subsec. (c), is classified to section 1272(a) of Title 26, Internal Revenue Code.

## AMENDMENTS

2011—Subsec. (b). Pub. L. 112-25 substituted “or as provided by section 3101A or otherwise” for “or otherwise”.

2010—Subsec. (b). Pub. L. 111-139 substituted “\$14,294,000,000,000” for “\$12,394,000,000,000”.

2009—Subsec. (b). Pub. L. 111-123 substituted “\$12,394,000,000,000” for “\$12,104,000,000,000”.

Pub. L. 111-5 substituted “\$12,104,000,000,000” for “\$11,315,000,000,000”.

2008—Subsec. (b). Pub. L. 110-343 substituted “\$11,315,000,000,000” for “\$10,615,000,000,000”.

Pub. L. 110-289 substituted “\$10,615,000,000,000” for “\$9,815,000,000,000”.

2007—Subsec. (b). Pub. L. 110-91 substituted “\$9,815,000,000,000” for “\$8,965,000,000,000”.

2006—Subsec. (b). Pub. L. 109-182 substituted “\$8,965,000,000,000” for “\$8,184,000,000,000”.

2004—Subsec. (b). Pub. L. 108-415 substituted “\$8,184,000,000,000” for “\$7,384,000,000,000”.

2003—Subsec. (b). Pub. L. 108-24 substituted “\$7,384,000,000,000” for “\$6,400,000,000,000”.

2002—Subsec. (b). Pub. L. 107-199 substituted “\$6,400,000,000,000” for “\$5,950,000,000,000”.

1997—Subsec. (b). Pub. L. 105-33 substituted “\$5,950,000,000,000” for “\$5,500,000,000,000”.

1996—Subsec. (b). Pub. L. 104-121 substituted “\$5,500,000,000,000” for “\$4,900,000,000,000”.

1993—Subsec. (b). Pub. L. 103-66 substituted “\$4,900,000,000,000” for “\$4,145,000,000,000”.

1990—Subsec. (b). Pub. L. 101-508 substituted “\$4,145,000,000,000” for “\$3,122,700,000,000”.

1989—Subsec. (b). Pub. L. 101-140 substituted “\$3,122,700,000,000” for “\$2,800,000,000,000”.

Subsec. (c). Pub. L. 101-72 amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: “The face amount of beneficial interests and participations (except those held by their issuer) issued under section 302(c) of the National Housing Act (12 U.S.C. 1717(c)) from July 1, 1967, through June 30, 1968, and outstanding at any time shall be included in the amount taken into account in deciding whether the face amount requirement of subsection (b) of this section has been exceeded. This subsection does not require a change in the budgetary accounting for beneficial interests and participations.”

1987—Subsec. (b). Pub. L. 100-119 substituted “\$2,800,000,000,000” for “\$2,111,000,000,000”.

1986—Subsec. (b). Pub. L. 99-384, which directed that subsec. (b) be amended by “striking out the dollar limitation contained in such subsection and inserting in lieu thereof ‘\$2,111,000,000,000,’” was executed by substituting “\$2,111,000,000,000,” for “\$1,847,800,000,000, or \$2,078,700,000,000 on and after October 1, 1985,” as the probable intent of Congress.

1985—Subsec. (b). Pub. L. 99-177 substituted “\$1,847,800,000,000, or \$2,078,700,000,000 on and after October 1, 1985” for “\$1,575,700,000,000, or \$1,823,800,000,000 on and after October 1, 1984”.

1984—Subsec. (b). Pub. L. 98-475 substituted “\$1,575,700,000,000, or \$1,823,800,000,000 on and after October 1, 1984,” for “\$1,573,000,000,000”.

Pub. L. 98-342 substituted “\$1,573,000,000,000” for “\$1,389,000,000,000, or \$1,490,000,000,000 on and after October 1, 1983,”.

1983—Subsec. (b). Pub. L. 98-161 inserted “, or \$1,490,000,000,000 on and after October 1, 1983,” after “\$1,389,000,000,000”.

Pub. L. 98-34 substituted “\$1,389,000,000,000” for “\$400,000,000,000”.

## TREATMENT OF CERTAIN OBLIGATIONS OF UNITED STATES

Pub. L. 104-115, §1(a)-(c), Mar. 12, 1996, 110 Stat. 825, authorized Secretary of the Treasury to issue to each Federal fund obligations of United States under this chapter before Mar. 30, 1996, in amount not to exceed certain designated limits, exempted such obligations from public debt limit and provided for termination of such exemption, and defined “Federal fund” for purpose of section.

## TIMELY PAYMENT OF MARCH 1996 SOCIAL SECURITY BENEFITS GUARANTEED

Pub. L. 104-103, §1, Feb. 8, 1996, 110 Stat. 55, as amended by Pub. L. 104-115, §1(d), Mar. 12, 1996, 110 Stat. 825, authorized Secretary of the Treasury to issue, before Mar. 1, 1996, obligations of United States under this chapter in amount equal to monthly insurance benefits payable in March 1996 under title II of Social Security Act (42 U.S.C. 401 et seq.), exempted such obligations from public debt limit and provided for termination of such exemption.

## REPEAL OF PERMANENT INCREASE IN PUBLIC DEBT LIMIT

Pub. L. 98-302, §1, May 25, 1984, 98 Stat. 217, which permanently increased the public debt limit by \$30,000,000,000 effective May 25, 1984, was repealed by Pub. L. 98-342, §1(b), July 6, 1984, 98 Stat. 313, effective on and after July 6, 1984.

## TEMPORARY INCREASES IN PUBLIC DEBT LIMIT

The public debt limit set forth in this section was temporarily increased for limited periods by the following acts:

Oct. 28, 1990, Pub. L. 101-467, §106, 104 Stat. 1087—Increase to \$3,230,000,000,000 for the period Oct. 28, 1990, to Nov. 5, 1990.

Aug. 9, 1990, Pub. L. 101-350, §1, 104 Stat. 403, as amended Oct. 2, 1990, Pub. L. 101-405, §1, 104 Stat. 878; Oct. 9, 1990, Pub. L. 101-412, §114, 104 Stat. 897; Oct. 19, 1990, Pub. L. 101-444, §114, 104 Stat. 1033; Oct. 25, 1990,

Pub. L. 101-461, § 114, 104 Stat. 1078—Increase to \$3,195,000,000,000 for the period Aug. 9, 1990, to Oct. 27, 1990.

Aug. 7, 1989, Pub. L. 101-72, § 1, 103 Stat. 182—Increase of \$70,000,000,000 for the period Aug. 7, 1989, to Oct. 31, 1989.

Aug. 10, 1987, Pub. L. 100-84, 101 Stat. 550—Increase to \$2,352,000,000,000 for the period Aug. 10, 1987, to Sept. 23, 1987.

May 15, 1987, Pub. L. 100-40, § 1(a), 101 Stat. 308, as amended July 30, 1987, Pub. L. 100-80, § 1(a), 101 Stat. 542—Increase to \$2,320,000,000,000 for the period May 15, 1987, to August 6, 1987. [Section 1(b) of Pub. L. 100-80 provided that: "The amendment made by subsection (a) [amending section 1(a) of Pub. L. 100-40] shall take effect on the date of the enactment of this Act [July 30, 1987]."]

Nov. 14, 1985, Pub. L. 99-155, § 1, 99 Stat. 814—Provided for a temporary increase of an amount determined by the Secretary of the Treasury as necessary, but not to exceed a public debt limit of \$1,903,800,000,000 for the period Nov. 14, 1985, to Dec. 6, 1985.

June 28, 1982, Pub. L. 97-204, 96 Stat. 130—Increase of \$743,100,000,000 for the period June 28, 1982, to Sept. 30, 1982.

Sept. 30, 1981, Pub. L. 97-49, 95 Stat. 956—Increase of \$679,800,000,000 for the period Oct. 1, 1981, to Sept. 30, 1982.

#### REPEALS OF TEMPORARY INCREASES IN PUBLIC DEBT LIMIT

Pub. L. 103-12, Apr. 6, 1993, 107 Stat. 42, providing for a temporary increase in public debt limit to \$4,370,000,000,000 for the period Apr. 6, 1993, to Sept. 30, 1993, was repealed by Pub. L. 103-66, title XIII, § 13411(b), Aug. 10, 1993, 107 Stat. 565, effective Aug. 10, 1993.

Pub. L. 99-509, title VIII, § 8201, Oct. 21, 1986, 100 Stat. 1968, providing for a temporary increase in public debt limit of \$189,000,000,000 for the period Oct. 21, 1986, to May 15, 1987, was repealed by Pub. L. 100-40, § 1(b), May 15, 1987, 101 Stat. 308, effective May 15, 1987.

Pub. L. 97-270, Sept. 30, 1982, 96 Stat. 1156, providing for a temporary increase in public debt limit of \$890,200,000,000 for the period Oct. 1, 1982, to Sept. 30, 1983, was repealed by Pub. L. 98-34, § 1(b), May 26, 1983, 97 Stat. 196, effective May 26, 1983.

The following acts which temporarily increased the public debt limit for limited periods were repealed by Pub. L. 97-258, § 5(b), Sept. 13, 1982, 96 Stat. 1068:

Pub. L. 97-48, Sept. 30, 1981, 95 Stat. 955, provided for a temporary increase of \$599,800,000,000 for the period Sept. 30, 1981, to Sept. 30, 1981.

Pub. L. 97-2, Feb. 7, 1981, 95 Stat. 4, provided for a temporary increase of \$585,000,000,000 for the period Feb. 7, 1981, to Sept. 30, 1981.

Pub. L. 96-556, § 1, Dec. 19, 1980, 94 Stat. 3261, provided for a temporary increase of \$535,100,000,000 for the period Oct. 1, 1980, to Sept. 30, 1981.

Pub. L. 96-286, § 1, June 28, 1980, 94 Stat. 598, provided for a temporary increase of \$525,000,000,000 for the period June 28, 1980, to Feb. 28, 1981.

Pub. L. 96-78, title I, § 101(a), Sept. 29, 1979, 93 Stat. 589, as amended Pub. L. 96-256, May 30, 1980, 94 Stat. 421; Pub. L. 96-264, § 1, June 6, 1980, 94 Stat. 439, provided for a temporary increase of \$479,000,000,000 for the period Sept. 29, 1979, to June 30, 1980.

Pub. L. 96-5, § 1, Apr. 2, 1979, 93 Stat. 8, providing for a temporary increase of \$430,000,000,000 for the period Apr. 2, 1979, to Sept. 30, 1979, was also repealed by Pub. L. 96-79, title I, § 101(b), Sept. 29, 1979, 93 Stat. 589.

Pub. L. 95-333, § 1, Aug. 3, 1978, 92 Stat. 419, providing for a temporary increase of \$398,000,000,000 in the public debt limit for the period Oct. 3, 1978, to Mar. 31, 1979, was also repealed by Pub. L. 96-5, § 2, Apr. 2, 1979, 93 Stat. 8.

Pub. L. 95-120, § 1, Oct. 4, 1977, 91 Stat. 1090, as amended, providing for a temporary increase of \$352,000,000,000 in the public debt limit for the period Oct. 4, 1977, to July 31, 1978, was also repealed by Pub. L. 95-333, § 2, Aug. 3, 1978, 92 Stat. 419.

Pub. L. 94-334, § 1, June 30, 1976, 90 Stat. 793, providing for a temporary increase of \$300,000,000,000 in the public debt limit for the period Apr. 1, 1977, to Sept. 30, 1977, was also repealed by Pub. L. 95-120, § 2, Oct. 4, 1977, 91 Stat. 1090.

Pub. L. 94-232, § 1, Mar. 15, 1976, 90 Stat. 217, provided for a temporary increase of \$227,000,000,000 for the period Mar. 15, 1976, to June 30, 1976.

Pub. L. 94-132, § 1, Nov. 14, 1975, 89 Stat. 693, providing for a temporary increase of \$195,000,000,000 in the public debt limit for the period Nov. 14, 1975, to Mar. 15, 1976, was also repealed by Pub. L. 94-232, § 2, Mar. 15, 1976, 90 Stat. 217.

Pub. L. 94-47, § 1, June 30, 1975, 89 Stat. 246, providing for a temporary increase of \$177,000,000,000 in the public debt limit for the period June 30, 1975, to Nov. 15, 1975, was also repealed by Pub. L. 94-132, § 2, Nov. 14, 1975, 89 Stat. 693.

Pub. L. 94-3, § 1, Feb. 19, 1975, 89 Stat. 5, providing for a temporary increase of \$131,000,000,000 in the public debt limit for the period Feb. 19, 1975, to June 30, 1975, was also repealed by Pub. L. 94-47, § 2, June 30, 1975, 89 Stat. 246.

Pub. L. 93-325, § 1, June 30, 1974, 88 Stat. 285, providing for a temporary increase of \$95,000,000,000 in the public debt limit for the period June 30, 1974, to Mar. 31, 1975, was also repealed by Pub. L. 94-3, § 2, Feb. 19, 1975, 89 Stat. 5.

Pub. L. 93-173, § 1, Dec. 3, 1973, 87 Stat. 691, providing for a temporary increase of \$75,700,000,000 in the public debt limit for the period of Dec. 3, 1973, to June 30, 1974, was also repealed by Pub. L. 93-325, § 2, June 30, 1974, 88 Stat. 285, eff. June 30, 1974.

Pub. L. 92-599, title I, § 101, Oct. 27, 1972, 86 Stat. 1324, as amended Pub. L. 93-53, § 1, July 1, 1973, 87 Stat. 134, providing for a temporary increase of \$65,000,000,000 in the public debt limit for the period of Nov. 1, 1972, to Nov. 30, 1973, was also repealed by Pub. L. 93-173, § 2, Dec. 3, 1973, 87 Stat. 691, eff. Dec. 3, 1973.

Pub. L. 92-250, Mar. 15, 1972, 86 Stat. 63, as amended Pub. L. 92-336, title I, § 1, July 1, 1972, 86 Stat. 406, provided for a temporary increase of \$20,000,000,000 for the period Mar. 15, 1972, to Oct. 31, 1972.

Pub. L. 92-5, title I, § 2(a), Mar. 17, 1971, 85 Stat. 5, as amended July 1, 1972, Pub. L. 92-336, title I, § 1, 86 Stat. 406, provided for a temporary increase of \$30,000,000,000 for the period of Mar. 17, 1971, to Oct. 31, 1972.

Pub. L. 91-301, § 2, June 30, 1970, 84 Stat. 368, providing for a temporary increase of \$15,000,000,000 in the public debt limit for the period of June 30, 1970, to June 30, 1971, was also repealed by Pub. L. 92-5, title I, § 2(b), Mar. 17, 1971, 85 Stat. 5, eff. Mar. 17, 1971.

Pub. L. 91-8, § 2, Apr. 7, 1969, 83 Stat. 7, provided for a temporary increase of \$12,000,000,000 for the period Apr. 7, 1969, to June 30, 1970.

Pub. L. 90-3, Mar. 2, 1967, 81 Stat. 4, provided for a temporary increase from \$285,000,000,000 to \$336,000,000,000 for the period Mar. 2, 1967.

Pub. L. 89-472, June 24, 1966, 80 Stat. 221, provided for a temporary increase from \$285,000,000,000 to \$330,000,000,000 for the period July 1, 1966, to June 30, 1967.

Pub. L. 89-49, June 24, 1965, 79 Stat. 172, provided for a temporary increase from \$285,000,000,000 to \$328,000,000,000 for the period July 1, 1965, to June 30, 1966.

Pub. L. 88-327, June 29, 1964, 78 Stat. 255, provided for a temporary increase from \$285,000,000,000 to \$324,000,000,000 for the period June 29, 1964, to June 30, 1965.

Pub. L. 88-187, Nov. 26, 1963, 77 Stat. 342, provided for a temporary increase from \$285,000,000,000 to \$309,000,000,000 for the period Dec. 1, 1963, to June 30, 1964 and a further increase of \$6,000,000,000 for the period Dec. 1, 1963 through June 29, 1964 because of variations in the timing of revenue receipts.

Pub. L. 88-106, Aug. 27, 1963, 77 Stat. 131, provided for a temporary increase from \$285,000,000,000 to \$309,000,000,000 for the period Sept. 1, 1963, to Nov. 30, 1963.

Pub. L. 88-30, §1(2), May 29, 1963, 77 Stat. 50, provided for a temporary increase from \$285,000,000,000 to \$309,000,000,000 for the period July 1, 1963, to Aug. 31, 1963.

Pub. L. 88-30, §1(1), May 29, 1963, 77 Stat. 50, provided for a temporary increase from \$285,000,000,000 to \$307,000,000,000 for the period May 29, 1963, to June 30, 1963.

Pub. L. 87-512, §1(3), July 1, 1962, 76 Stat. 124, provided for a temporary increase from \$285,000,000,000 to \$300,000,000,000 for the period June 25, 1963, to June 30, 1963.

Pub. L. 87-512, §1(2), July 1, 1962, 76 Stat. 124, provided for a temporary increase from \$285,000,000,000 to \$305,000,000,000 for the period Apr. 1, 1963, to June 24, 1963.

Pub. L. 87-512, §1(1), July 1, 1962, 76 Stat. 124, provided for a temporary increase from \$285,000,000,000 to \$308,000,000,000 for the period July 1, 1962, to Mar. 31, 1963.

Pub. L. 87-414, Mar. 13, 1962, 76 Stat. 23, provided for a temporary increase from \$285,000,000,000 to \$300,000,000,000 for the period Mar. 13, 1962, to June 30, 1962.

Pub. L. 87-69, June 30, 1961, 75 Stat. 148, provided for a temporary increase from \$285,000,000,000 to \$298,000,000,000 for the period July 1, 1961, to June 30, 1962.

Pub. L. 86-564, title I, §101, June 30, 1960, 74 Stat. 290, provided for a temporary increase from \$285,000,000,000 to \$293,000,000,000 for the period July 1, 1960, to June 30, 1961.

Pub. L. 86-74, §2, June 30, 1959, 73 Stat. 156, provided for a temporary increase from \$285,000,000,000 to \$295,000,000,000 for the period July 1, 1959, to June 30, 1960.

Pub. L. 85-336, Feb. 26, 1958, 72 Stat. 27, provided for a temporary increase from \$275,000,000,000 to \$280,000,000,000 for the period Feb. 26, 1958, to June 30, 1959.

July 9, 1956, ch. 536, 70 Stat. 519, provided for a temporary increase from \$275,000,000,000 to \$278,000,000,000 for the period July 1, 1956, to June 30, 1957.

Aug. 28, 1954, ch. 1037, 68 Stat. 895, as amended by act June 30, 1955, ch. 256, 69 Stat. 241, provided for a temporary increase from \$275,000,000,000 to \$281,000,000,000 for the period Aug. 28, 1954, to June 30, 1956.

#### RESTORATION OF TRUST FUND INVESTMENTS

Provisions requiring the Secretary of the Treasury to restore certain Federal trust funds and Government accounts to the position they would have been in if the debt limitation of 31 U.S.C. 3101(b) had not prevented them from investing funds during specific periods were contained in the following acts:

Pub. L. 101-508, title XI, §11901(b), Nov. 5, 1990, 104 Stat. 1388-560.

Pub. L. 101-140, title III, §301, Nov. 8, 1989, 103 Stat. 833.

Pub. L. 99-177, title II, §272, Dec. 12, 1985, 99 Stat. 1095.

### § 3101A. Presidential modification of the debt ceiling

#### (a) IN GENERAL.—

##### (1) \$900 BILLION.—

(A) CERTIFICATION.—If, not later than December 31, 2011, the President submits a written certification to Congress that the President has determined that the debt subject to limit is within \$100,000,000,000 of the limit in section 3101(b) and that further borrowing is required to meet existing commitments, the Secretary of the Treasury may exercise authority to borrow an additional \$900,000,000,000, subject to the enactment of a joint resolution of disapproval enacted pursuant to this section. Upon submission of

such certification, the limit on debt provided in section 3101(b) (referred to in this section as the “debt limit”) is increased by \$400,000,000,000.

(B) RESOLUTION OF DISAPPROVAL.—Congress may consider a joint resolution of disapproval of the authority under subparagraph (A) as provided in subsections (b) through (f). The joint resolution of disapproval considered under this section shall contain only the language provided in subsection (b)(2). If the time for disapproval has lapsed without enactment of a joint resolution of disapproval under this section, the debt limit is increased by an additional \$500,000,000,000.

#### (2) ADDITIONAL AMOUNT.—

(A) CERTIFICATION.—If, after the debt limit is increased by \$900,000,000,000 under paragraph (1), the President submits a written certification to Congress that the President has determined that the debt subject to limit is within \$100,000,000,000 of the limit in section 3101(b) and that further borrowing is required to meet existing commitments, the Secretary of the Treasury may, subject to the enactment of a joint resolution of disapproval enacted pursuant to this section, exercise authority to borrow an additional amount equal to—

(i) \$1,200,000,000,000, unless clause (ii) or (iii) applies;

(ii) \$1,500,000,000,000 if the Archivist of the United States has submitted to the States for their ratification a proposed amendment to the Constitution of the United States pursuant to a joint resolution entitled “Joint resolution proposing a balanced budget amendment to the Constitution of the United States”; or

(iii) if a joint committee bill to achieve an amount greater than \$1,200,000,000,000 in deficit reduction as provided in section 401(b)(3)(B)(i)(II) of the Budget Control Act of 2011 is enacted, an amount equal to the amount of that deficit reduction, but not greater than \$1,500,000,000,000, unless clause (ii) applies.

(B) RESOLUTION OF DISAPPROVAL.—Congress may consider a joint resolution of disapproval of the authority under subparagraph (A) as provided in subsections (b) through (f). The joint resolution of disapproval considered under this section shall contain only the language provided in subsection (b)(2). If the time for disapproval has lapsed without enactment of a joint resolution of disapproval under this section, the debt limit is increased by the amount authorized under subparagraph (A).

#### (b) JOINT RESOLUTION OF DISAPPROVAL.—

(1) IN GENERAL.—Except for the \$400,000,000,000 increase in the debt limit provided by subsection (a)(1)(A), the debt limit may not be raised under this section if, within 50 calendar days after the date on which Congress receives a certification described in subsection (a)(1) or within 15 calendar days after Congress receives the certification described in subsection (a)(2) (regardless of whether Con-

gress is in session), there is enacted into law a joint resolution disapproving the President's exercise of authority with respect to such additional amount.

(2) CONTENTS OF JOINT RESOLUTION.—For the purpose of this section, the term “joint resolution” means only a joint resolution—

(A)(i) for the certification described in subsection (a)(1), that is introduced on September 6, 7, 8, or 9, 2011 (or, if the Senate was not in session, the next calendar day on which the Senate is in session); and

(ii) for the certification described in subsection (a)(2), that is introduced between the date the certification is received and 3 calendar days after that date;

(B) which does not have a preamble;

(C) the title of which is only as follows: “Joint resolution relating to the disapproval of the President's exercise of authority to increase the debt limit, as submitted under section 3101A of title 31, United States Code, on \_\_\_\_\_” (with the blank containing the date of such submission); and

(D) the matter after the resolving clause of which is only as follows: “That Congress disapproves of the President's exercise of authority to increase the debt limit, as exercised pursuant to the certification under section 3101A(a) of title 31, United States Code.”.

(c) EXPEDITED CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

(1) RECONVENING.—Upon receipt of a certification described in subsection (a)(2), the Speaker, if the House would otherwise be adjourned, shall notify the Members of the House that, pursuant to this section, the House shall convene not later than the second calendar day after receipt of such certification.

(2) REPORTING AND DISCHARGE.—Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House without amendment not later than 5 calendar days after the date of introduction of a joint resolution described in subsection (a). If a committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be referred to the appropriate calendar.

(3) PROCEEDING TO CONSIDERATION.—After each committee authorized to consider a joint resolution reports it to the House or has been discharged from its consideration, it shall be in order, not later than the sixth day after introduction of a joint resolution under subsection (a), to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on a joint resolution addressing a particular submission. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(4) CONSIDERATION.—The joint resolution shall be considered as read. All points of order

against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to its passage without intervening motion except two hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(d) EXPEDITED PROCEDURE IN SENATE.—

(1) RECONVENING.—Upon receipt of a certification under subsection (a)(2), if the Senate has adjourned or recessed for more than 2 days, the majority leader of the Senate, after consultation with the minority leader of the Senate, shall notify the Members of the Senate that, pursuant to this section, the Senate shall convene not later than the second calendar day after receipt of such message.

(2) PLACEMENT ON CALENDAR.—Upon introduction in the Senate, the joint resolution shall be immediately placed on the calendar.

(3) FLOOR CONSIDERATION.—

(A) IN GENERAL.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time during the period beginning on the day after the date on which Congress receives a certification under subsection (a) and, for the certification described in subsection (a)(1), ending on September 14, 2011, and for the certification described in subsection (a)(2), on the 6th day after the date on which Congress receives a certification under subsection (a) (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

(B) CONSIDERATION.—Consideration of the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(C) VOTE ON PASSAGE.—If the Senate has voted to proceed to a joint resolution, the vote on passage of the joint resolution shall occur immediately following the conclusion of consideration of the joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the

Senate, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(e) AMENDMENT NOT IN ORDER.—A joint resolution of disapproval considered pursuant to this section shall not be subject to amendment in either the House of Representatives or the Senate.

(f) COORDINATION WITH ACTION BY OTHER HOUSE.—

(1) IN GENERAL.—If, before passing the joint resolution, one House receives from the other a joint resolution—

(A) the joint resolution of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

(2) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—If the Senate fails to introduce or consider a joint resolution under this section, the joint resolution of the House shall be entitled to expedited floor procedures under this section.

(3) TREATMENT OF COMPANION MEASURES.—If, following passage of the joint resolution in the Senate, the Senate then receives the companion measure from the House of Representatives, the companion measure shall not be debatable.

(4) CONSIDERATION AFTER PASSAGE.—(A) If Congress passes a joint resolution, the period beginning on the date the President is presented with the joint resolution and ending on the date the President signs, allows to become law without his signature, or vetoes and returns the joint resolution (but excluding days when either House is not in session) shall be disregarded in computing the appropriate calendar day period described in subsection (b)(1).

(B) Debate on a veto message in the Senate under this section shall be 1 hour equally divided between the majority and minority leaders or their designees.

(5) VETO OVERRIDE.—If within the appropriate calendar day period described in subsection (b)(1), Congress overrides a veto of the joint resolution with respect to authority exercised pursuant to paragraph (1) or (2) of subsection (a), the limit on debt provided in section 3101(b) shall not be raised, except for the \$400,000,000,000 increase in the limit provided by subsection (a)(1)(A).

(6) SEQUESTRATION.—(A) If within the 50-calendar day period described in subsection (b)(1), the President signs the joint resolution, the President allows the joint resolution to become law without his signature, or Congress overrides a veto of the joint resolution with respect to authority exercised pursuant to paragraph (1) of subsection (a), there shall be a sequestration to reduce spending by \$400,000,000,000. OMB shall implement the sequestration forthwith.

(B) OMB shall implement each half of such sequestration in accordance with section 255, section 256, and subsections (c), (d), (e), and (f)

of section 253 of the Balanced Budget and Emergency Deficit Control Act of 1985, and for the purpose of such implementation the term “excess deficit” means the amount specified in subparagraph (A).

(g) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection and subsections (b), (c), (d), (e), and (f) (other than paragraph (6)) are enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(Added Pub. L. 112–25, title III, §301(a)(2), Aug. 2, 2011, 125 Stat. 251.)

#### REFERENCES IN TEXT

Section 401(b)(3)(B)(i)(II) of the Budget Control Act of 2011, referred to in subsec. (a)(2)(A)(iii), is section 401(b)(3)(B)(i)(II) of title IV of Pub. L. 112–25, which is set out in a note under section 900 of Title 2, The Congress.

Section 255, section 256, and subsections (c), (d), (e), and (f) of section 253 of the Balanced Budget and Emergency Deficit Control Act of 1985, referred to in subsec. (f)(6)(B), are classified to sections 905, 906, and 903(c) to (f), respectively, of Title 2, The Congress.

#### § 3102. Bonds

(a) With the approval of the President, the Secretary of the Treasury may borrow on the credit of the United States Government amounts necessary for expenditures authorized by law and may issue bonds of the Government for the amounts borrowed and may buy, redeem, and make refunds under section 3111 of this title. The Secretary may issue bonds authorized by this section to the public and to Government accounts at any annual interest rate and prescribe conditions under section 3121 of this title.

(b) The Secretary shall offer the bonds authorized under this section first as a popular loan under regulations of the Secretary that allow the people of the United States as nearly as possible an equal opportunity to participate in subscribing to the offered bonds. However, the bonds may be offered in a way other than as a popular loan when the Secretary decides the other way is in the public interest.

(c)(1) When the Secretary decides it is in the public interest in making a bond offering under this section, the Secretary may—

(A) make full allotments on receiving applications for smaller amounts of bonds to subscribers applying before the closing date the Secretary sets for filing applications;

(B) reject or reduce allotments on receiving applications filed after the closing date or for larger amounts;

(C) reject or reduce allotments on receiving applications from incorporated banks and

trust companies for their own account and make full allotments or increase allotments to other subscribers; and

(D) prescribe a graduated scale of allotments.

(2) The Secretary shall prescribe regulations applying to all popular loan subscribers similarly situated governing a reduction or increase of an allotment under paragraph (1) of this subsection.

(d) The Secretary may make special arrangements for subscriptions from members of the armed forces. However, bonds issued to those members must be the same as other bonds of the same issue.

(e) The Secretary may dispose of any part of a bond offering not taken and may prescribe the price and way of disposition.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 938; Pub. L. 97-452, §1(5), Jan. 12, 1983, 96 Stat. 2467; Pub. L. 98-34, §2, May 26, 1983, 97 Stat. 196; Pub. L. 98-302, §2, May 25, 1984, 98 Stat. 217; Pub. L. 99-272, title XIII, §13212, Apr. 7, 1986, 100 Stat. 325; Pub. L. 100-203, title IX, §9403, Dec. 22, 1987, 101 Stat. 1330-377; Pub. L. 100-647, title VI, §6301, Nov. 10, 1988, 102 Stat. 3755.)

#### HISTORICAL AND REVISION NOTES 1982 ACT

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3102(a) .....	31:752(1st par.).	Sept. 24, 1917, ch. 56, §1(1st par.), 40 Stat. 288; restated Apr. 4, 1918, ch. 44, §1, 40 Stat. 502; July 9, 1918, ch. 142, §1, 40 Stat. 844; Mar. 3, 1931, ch. 433, 46 Stat. 1506; Feb. 4, 1935, ch. 5, §1, 49 Stat. 20; May 26, 1938, ch. 285, §1, 52 Stat. 447.
	31:752(2d par. less form of bonds).	Sept. 24, 1917, ch. 56, §1(2d par. less form of bonds), 40 Stat. 288; restated Apr. 4, 1918, ch. 44, §1, 40 Stat. 502; Mar. 17, 1971, Pub. L. 92-5, §3, 85 Stat. 5; July 1, 1973, Pub. L. 93-53, §2, 87 Stat. 135; Mar. 15, 1976, Pub. L. 94-232, §3(a), 90 Stat. 217; June 30, 1976, Pub. L. 94-334, §2, 90 Stat. 793; Oct. 4, 1977, Pub. L. 95-120, §3, 91 Stat. 1090; Aug. 3, 1978, Pub. L. 95-333, §3, 92 Stat. 419; Apr. 2, 1979, Pub. L. 96-5, §3, 93 Stat. 8; Sept. 29, 1979, Pub. L. 96-78, §102, 93 Stat. 589; Oct. 3, 1980, Pub. L. 96-377, §2, 94 Stat. 1512.
3102(b) .....	31:752(3d par. 1st sentence words before 4th comma).	Sept. 24, 1917, ch. 56, §1(3d par.), 40 Stat. 288; restated Apr. 4, 1918, ch. 44, §1, 40 Stat. 502.
	31:752(4th par. related to a popular loan).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §1(4th par.); added Jan. 30, 1934, ch. 6, §14(a)(1), 48 Stat. 343.
3102(c)(1)	31:752(3d par. 1st sentence words between 4th comma and proviso), (4th par. related to allotments).	
3102(c)(2)	31:752(3d par. 1st sentence proviso).	
3102(d) .....	31:752(3d par. last sentence).	
3102(e) .....	31:752(3d par. 2d sentence).	

In subsection (a), the word “amounts” is substituted for “sum or sums” for consistency. The words “as in his judgment may be” are omitted as surplus. The words “for expenditures authorized by law” are substituted for “for the purposes of this Act . . . and to meet expenditures authorized for the national security

and defense and other public purposes authorized by law” because they are inclusive and for consistency. The words “under section 3111 of this title” are substituted for “at or before maturity, of any outstanding bonds, notes, certificates of indebtedness, or Treasury bills of the United States” because of the restatement. The words “prescribe conditions under section 3121 of this title” are substituted for the text of 31:752(2d par. 1st sentence less form of bonds, 2d sentence) because of the restatement. The words “at any annual interest rate” are added for clarity and to more precisely define the 4.25 percent limitation. The words “bonds may not be issued under this section to the public, or sold by a Government account to the public, with a rate of interest exceeding 4¼ per centum per annum in an amount which would cause” are omitted as surplus.

In subsections (b), (d), and (e), the words “not less than par” are omitted as superseded by section 3 of the Public Debt Act of 1942 (ch. 205, 56 Stat. 189), restated in section 3121 of the revised title.

In subsection (b), the words “under regulations of the Secretary that allow” are substituted for “under such regulations, prescribed by the Secretary of the Treasury from time to time, as will in his opinion give” to eliminate unnecessary words. The words “subscribing to the offered bonds” are substituted for “therein” for clarity. The words “However . . . when the Secretary decides the other way is in the public interest” are substituted for “Notwithstanding the provisions of the foregoing paragraph, the Secretary of the Treasury may from time to time, when he deems it to be in the public interest” to eliminate unnecessary words.

In subsection (c)(1), before clause (A), the words “and may from time to time adopt any or all of said methods, should any such action” in 31:752(3d par. 1st sentence words between 4th comma and proviso) are omitted because of the restatement. The word “decides” is substituted for “deemed” in 31:752(3d par. 1st sentence words between 4th comma and proviso) and “deems” in 31:752a(4th par. related to allotments) for consistency. The words “in making a bond offering under this section” are added for clarity.

In subsection (c)(2), the word “regulations” is substituted for “general rules” for consistency in the revised title and with other titles of the United States Code.

In subsection (d), the words “members of armed forces” are substituted for “persons in the military or naval forces of the United States” for clarity and consistency with title 10.

#### 1983 ACT

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3102(a) .....	31 App.:752(2d par. less form of bonds).	Sept. 3, 1982, Pub. L. 97-248, §289(c), 96 Stat. 572.

#### AMENDMENTS

1988—Subsec. (a). Pub. L. 100-647 struck out at end: “However, the face amount of bonds issued under this section and held by the public with interest rates of more than 4.25 percent a year may not be more than \$270,000,000,000.”

1987—Subsec. (a). Pub. L. 100-203 substituted “\$270,000,000,000” for “\$250,000,000,000”.

1986—Subsec. (a). Pub. L. 99-272 substituted “\$250,000,000,000” for “\$200,000,000,000”.

1984—Subsec. (a). Pub. L. 98-302 substituted “\$200,000,000,000” for “\$150,000,000,000”.

1983—Subsec. (a). Pub. L. 98-34 substituted “\$150,000,000,000” for “\$110,000,000,000”.

Pub. L. 97-452 substituted “\$110,000,000,000” for “\$70,000,000,000”.

#### § 3103. Notes

(a) With the approval of the President, the Secretary of the Treasury may borrow on the

credit of the United States Government amounts necessary for expenditures authorized by law and may issue notes of the Government for the amounts borrowed and may buy, redeem, and make refunds under section 3111 of this title. The Secretary may prescribe conditions under section 3121 of this title. Notwithstanding section 3121(a)(5) of this title, the payment date of each series of notes issued shall be at least one year but not more than 10 years from the date of issue.

(b) The Government may redeem any part of a series of notes before maturity by giving at least 4 months' notice but not more than one year's notice.

(c) The holder of a note of one series issued under this section with the same issue date as another series of notes issued under this section may convert, at par value, a note of the holder for a note of the other series.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 939.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3103(a), (b).	31:753(a)(less form of notes, certificates of indebtedness, and Treasury bills).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §18(a)(less form of notes, certificates of indebtedness, and Treasury bills); added Mar. 3, 1919, ch. 100, §1, 40 Stat. 1309; Nov. 23, 1921, ch. 136, §1401, 42 Stat. 321; Jan. 30, 1934, ch. 6, §14(a)(3), 48 Stat. 343; re-stated Feb. 4, 1935, ch. 5, §4, 49 Stat. 20; June 30, 1967, Pub. L. 90-39, §4, 81 Stat. 99; Mar. 15, 1976, Pub. L. 94-232, §3(b), 90 Stat. 217.
3103(c) .....	31:753(c).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §18(c); added Mar. 3, 1919, ch. 100, §1, 40 Stat. 1310.

In subsection (a), the words “In addition to the bonds and certificates of indebtedness and war-savings certificates authorized by this Act, and amendments thereto” are omitted as unnecessary. The words “subject to the limitation imposed by section 757b of this title” are omitted as surplus. The word “Government” is added for consistency. The words “for expenditures authorized by law” are substituted for “for the purposes of this Act . . . and to meet public expenditures authorized by law” for clarity and because they are inclusive. The words “under section 3111 of this title” are substituted for “at or before maturity, of any outstanding bonds, notes, certificates of indebtedness, or Treasury bills of the United States” because of the restatement. The words “denomination or denominations” are omitted because section 3121(a) of the revised title consolidates this authority in one section for the various types of debt instruments. The words “under section 3121 of this title” are substituted for “containing such terms and conditions, and at such rate or rates of interest” because of the restatement. The words “at not less than par (except as provided in section 754b of this title)” are omitted as superseded by section 3 of the Public Debt Act of 1942 (ch. 205, 56 Stat. 189), restated in section 3121 of the revised title. The words “Notwithstanding section 3121(a)(5) of this title” are added for clarity because the section cited contains the general authority to which subsection (a)(last sentence) of this section is an exception.

In subsection (b), the words “at the option of” and “and under such rules and regulations and during such period as he may prescribe” are omitted as surplus.

Subsection (c) is substituted for 31:753(c) to eliminate unnecessary words and for clarity and consistency.

#### § 3104. Certificates of indebtedness and Treasury bills

(a) The Secretary of the Treasury may borrow on the credit of the United States Government amounts necessary for expenditures authorized by law and may buy, redeem, and make refunds under section 3111 of this title. For amounts borrowed, the Secretary may issue—

- (1) certificates of indebtedness of the Government; and
- (2) Treasury bills of the Government.

(b) The Secretary may prescribe conditions for issuing certificates of indebtedness and Treasury bills under section 3121 of this title and conditions under which the certificates and bills may be redeemed before maturity. Notwithstanding section 3121(a)(5) of this title, the payment date of certificates of indebtedness and Treasury bills may not be more than one year after the date of issue.

(c) Treasury bills issued under this section may not be accepted before maturity to pay principal or interest on obligations of governments of foreign countries that are held by the United States Government.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 939.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3104(a) .....	31:754(a)(1st, 2d sentences).	Sept. 24, 1917, ch. 56, §5(a)(less form of certificates of indebtedness and Treasury bills, finality), 40 Stat. 290; Apr. 4, 1918, ch. 44, §4, 40 Stat. 504; Mar. 3, 1919, ch. 100, §3, 40 Stat. 1311; re-stated June 17, 1929, ch. 26, 46 Stat. 19; Feb. 4, 1935, ch. 5, §§2, 3, 49 Stat. 20.
3104(b) .....	31:754(a)(3d sentence)(less form of certificates of indebtedness and Treasury bills, finality).	
3104(c) .....	31:754(a)(last sentence).	

In subsection (a), before clause (1), the words “In addition to the bonds and notes authorized by sections 752, 753, and 757c of this title” are omitted as unnecessary. The words “subject to the limitation imposed by section 757b of this title” are omitted as surplus. The words “for expenditures authorized by law” are substituted for “for the purposes of this Act . . . and to meet public expenditures authorized by law” for clarity and because they are inclusive. The words “under section 3111 of this title” are substituted for “at or before maturity, of any outstanding bonds, notes, certificates of indebtedness or Treasury bills of the United States” because of the restatement. The words “at not less than par” are omitted as superseded by section 3 of the Public Debt Act of 1942 (ch. 205, 56 Stat. 189), restated in section 3121 of the revised title. The text of 31:754(a)(2d sentence) is omitted as superseded by section 3121(a) of the revised title. In clause (1), the words “and at such rate or rates of interest, payable at such time or times as he may prescribe” are omitted because they are superseded by section 3121(a), (b)(1), and (c) of the revised title. In clause (2), the words “on a discount basis and payable at maturity without interest” are omitted because they are superseded by section 3121(a) of the revised title. The words “of the Government” are added for consistency.

In subsection (b), the words “terms and” after “upon such” are omitted as surplus. The words “for issuing . . . under section 3121 of this title” are substituted for



“subject to such terms and conditions” because of the restatement. The words “Notwithstanding section 3121(a)(5) of this title” are substituted for “shall be payable at such time” for clarity because the section cited contains the general authority to which subsection (c)(last sentence) of this section is an exception.

In subsection (c), the words “account of” are omitted as surplus.

### § 3105. Savings bonds and savings certificates

(a) With the approval of the President, the Secretary of the Treasury may issue savings bonds and savings certificates of the United States Government and may buy, redeem, and make refunds under section 3111 of this title. Proceeds from the bonds and certificates shall be used for expenditures authorized by law. Savings bonds and certificates may be issued on an interest-bearing basis, on a discount basis, or on an interest-bearing and discount basis. Savings bonds shall mature not more than 20 years from the date of issue. Savings certificates shall mature not more than 10 years from the date of issue. The difference between the price paid and the amount received on redeeming a savings bond or certificate is interest under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

(b)(1) The Secretary may—

(A) fix the investment yield for savings bonds; and

(B) change the investment yield on an outstanding savings bond, except that the yield on a bond for the period held may not be decreased below the minimum yield for the period guaranteed on the date of issue.

(2) The Secretary may prescribe regulations providing that—

(A) owners of savings bonds may keep the bonds after maturity or after a period beyond maturity during which the bonds have earned interest and continue to earn interest at rates consistent with paragraph (1) of this subsection; and

(B) savings bonds earning a different rate of interest before the regulations are prescribed shall earn a rate of interest consistent with paragraph (1).

(c) The Secretary may prescribe for savings bonds and savings certificates issued under this section—

(1) the form and amount of an issue and series;

(2) the way in which they will be issued;

(3) the conditions, including restrictions on transfer, to which they will be subject;

(4) conditions governing their redemption;

(5) their sales price and denominations;

(6) a way to evidence payments for or on account of them and to provide for the exchange of savings certificates for savings bonds; and

(7) the maximum amount issued in a year that may be held by one person.

(d) The Secretary may authorize financial institutions to make payments to redeem savings bonds and savings notes. A financial institution may be a paying agent only if the institution—

(1) is incorporated under the laws of the United States, a State, the District of Columbia, or a territory or possession of the United States;

(2) in the usual course of business accepts, subject to withdrawal, money for deposit or the purchase of shares;

(3) is under the supervision of a banking authority of the jurisdiction in which it is incorporated;

(4) has a regular office to do business; and

(5) is qualified under regulations prescribed by the Secretary in carrying out this subsection.

(e)(1) The Secretary may prescribe a way in which a check issued to an individual (except a trust or estate) as a refund for taxes imposed under subtitle A of the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.) may become a series E savings bond. However, a check may become a bond only if the claim for a refund is filed by the last day prescribed by law for filing the return (determined without any extensions) for the taxable year for which the refund is made. The Secretary may prescribe the time and way in which the check becomes a bond.

(2) A bond issued under this subsection is deemed to be a series E bond issued under this section, except that the bond shall bear an issue date of the first day of the first month beginning after the close of the taxable year for which the bond is issued. The Secretary also may provide that a bond issued to joint payees may be redeemed by either payee alone.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 940; Pub. L. 97-452, §1(6), (7), Jan. 12, 1983, 96 Stat. 2467, 2468; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 103-465, title VII, §745(a), Dec. 8, 1994, 108 Stat. 5011.)

#### HISTORICAL AND REVISION NOTES 1982 ACT

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3105(a) .....	31:757c(a)(1st sentence), (b)(1)(1st sentence), (d)(1st sentence).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §22(a)-(d)(1st sentence); added Feb. 4, 1935, ch. 5, §6, 49 Stat. 21; restated Feb. 19, 1941, ch. 7, §3, 55 Stat. 7; Mar. 26, 1951, ch. 19, §1, 65 Stat. 26; Apr. 20, 1957, Pub. L. 85-17, §1, 71 Stat. 15; Sept. 22, 1959, Pub. L. 86-346, §101(b), 73 Stat. 621; Dec. 1, 1969, Pub. L. 91-130, §§1, 2(b), 83 Stat. 272; Aug. 24, 1970, Pub. L. 91-388, §3, 84 Stat. 830; Mar. 15, 1976, Pub. L. 94-232, §4, 90 Stat. 217; Apr. 2, 1979, Pub. L. 96-5, §4, 93 Stat. 8; Oct. 3, 1980, Pub. L. 96-377, §1, 94 Stat. 1512.
3105(b)(1)	31:757c(b)(1)(2d sentence proviso, last sentence).	
3105(b)(2)	31:757c(b)(3).	
3105(b)(3)	31:757c(b)(2).	
3105(c) .....	31:757c(a)(last sentence), (b)(1)(2d sentence less proviso, 3d, 4th sentences), (c).	
3105(d) .....	31:757c(h).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §22(h); added Apr. 11, 1943, ch. 52, §3, 57 Stat. 63; restated Apr. 3, 1945, ch. 51, §3, 59 Stat. 47; Oct. 17, 1968, Pub. L. 90-595, §1, 82 Stat. 1155.
3105(e) .....	31:757c(j).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §22(j); added July 1, 1973, Pub. L. 93-53, §3(a), 87 Stat. 135.

In subsection (a), the words “through the United States Postal Service or otherwise” and “Treasury” before “savings” are omitted as surplus. The words “and

may buy, redeem, and make refunds under section 3111 of this title" are added because of the restatement. The words "for expenditures authorized by law" are substituted for "to meet any public expenditures authorized by law, and to retire any outstanding obligations of the United States bearing interest or issued on a discount basis" for clarity and because they are inclusive. The word "combination" is omitted as surplus.

In subsection (b)(1), the words "Except as provided in paragraph (2) of this subsection" are added for clarity. The word "conditions" is substituted for "terms" for consistency in the revised title and with other titles of the United States Code. The word "calendar" is omitted as surplus. The words "(or, beginning on October 1, 1976, if later)" are omitted as executed.

In subsection (b)(3), the words "at their option" and "upon them" are omitted as surplus. The last sentence is substituted for 31:757c(b)(2)(B) for clarity.

In subsection (c), before clause (1), the words "subject to the limitation imposed by section 757b of this title" are omitted as surplus. The words "issued under this section" are added for clarity. In clause (3), the words "terms and" are omitted as surplus. The words "consistent with subsections (b) to (d) of this section" are omitted as unnecessary because of the restatement. In clause (4), the words "before maturity" are omitted as surplus. In clause (6), the words "a way to evidence payments for" are substituted for "issue, or cause to be issued, stamps, or may provide any other means to evidence payments for" because they are inclusive. The text of 31:757c(c)(last sentence) is omitted because section 5 of the Public Debt Act of 1942 (ch. 205, 56 Stat. 189), ended the authority of the Postmaster General to issue stamps. In clause (7), the word "maximum" is added for clarity. The words "at any one time" are omitted as surplus.

In subsection (d), before clause (1), the words "under such regulations as he may prescribe", "or permit", and "commercial banks, trust companies, savings banks, savings and loan associations, building and loan associations (including cooperative banks), credit unions, cash depositories, industrial banks, and similar" are omitted as surplus. In clause (1), the words "Commonwealth of the Philippine Islands" in section 22(h) of the Second Liberty Bond Act (ch. 56, 40 Stat. 288) are omitted because of Proclamation No. 2695 (July 24, 1946, 60 Stat. 1352) proclaiming the independence of the Philippines. In clause (3), the words "department or equivalent" are omitted as surplus. In clause (5), the word "duly" is omitted as surplus.

In subsection (e)(1), the words "by regulations" are omitted as unnecessary. The words "a way" are added, and the words "However, a check may become a bond" are substituted for "This subsection shall apply", for clarity.

In subsection (e)(2), the words "Except as provided in paragraph (2)" are omitted as unnecessary. The words "is deemed to be" are substituted for "shall be treated for all purposes of law as" because a legal fiction is intended. The words "calendar" and "In the case of . . . under this subsection" are omitted as surplus.

## 1983 ACT

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3105(b)(1)	31 App.:757c(b)(1) (2d sentence).	Sept. 3, 1982, Pub. L. 97-248, §289(a)(1)(A), (B), (D), 96 Stat. 571.
3105(b)(2)	31 App.:757c(b)(3)	
3105(b)(3)	31 App.:757c(b)(2).	
3105(c) .....	31 App.:757c(b)(1) (3d sentence).	Sept. 3, 1982, Pub. L. 97-248, §289(a)(1)(C), 96 Stat. 571.

In subsection (b)(1), before clause (A), the words "and except as provided in paragraph (2) of this subsection" are added for clarity. In clause (B), the word "change" is substituted for "provide for increases and decreases in" to eliminate unnecessary words. The word "investment" is omitted the 2d time it appears as surplus.

## AMENDMENTS

1994—Subsec. (b). Pub. L. 103-465 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows:

"(b)(1) With the approval of the President and except as provided in paragraph (2) of this subsection, the Secretary may—

"(A) fix the investment yield for savings bonds; and

"(B) change the investment yield on an outstanding savings bond, except that the yield on a bond for the period held may not be decreased below the minimum yield for the period guaranteed on the date of issue.

"(2) The investment yield on a series E savings bond shall be at least 4 percent a year compounded semiannually beginning on the first day of the month beginning after the date of issue of the bond and ending on the last day of the month before the date of redemption.

"(3) With the approval of the President, the Secretary may prescribe regulations providing that—

"(A) owners of series E and H savings bonds may keep the bonds after maturity or after a period beyond maturity during which the bonds have earned interest and continue to earn interest at rates consistent with paragraph (1) of this subsection; and

"(B) series E and H savings bonds earning a different rate of interest before the regulations are prescribed shall earn a rate of interest consistent with paragraph (1)."

1986—Subsecs. (a), (e)(1). Pub. L. 99-514 substituted "Internal Revenue Code of 1986" for "Internal Revenue Code of 1954".

1983—Subsec. (b). Pub. L. 97-452, §1(6), added par. (1) and redesignated former par. (1) as (2), in par. (2) as so redesignated, struck out provision that except as provided in former par. (2), the interest rate on, and the issue price of, savings bonds and savings certificates and the conditions under which they might be redeemed might not yield more than 5.5 percent a year compounded semiannually, struck out former par. (2) which provided that the Secretary with the President's approval might fix the yield on savings bonds at any percent per year compounded semiannually, but that total increases in a six-month period might not exceed one percent a year compounded semiannually, redesignated provisions of par. (3) as subpars. (A) and (B), and, in subpar. (B), as so redesignated, substituted provisions that series E and H savings bonds earning a different rate of interest before the regulations are prescribed shall earn a rate of interest consistent with par. (1) for provision that series E and H savings bonds earning a higher rate of interest before the regulations were prescribed would continue to earn a higher rate of interest consistent with par. (1).

Subsec. (c)(5). Pub. L. 97-452, §1(7), struck out "(expressed in terms of the maturity value)" after "denominations".

## EFFECTIVE DATE OF 1994 AMENDMENT

Section 745(b) of Pub. L. 103-465 provided that: "The amendment made by this section [amending this section] shall apply to bonds issued after October 31, 1994."

## EX. ORD. NO. 11981. INTERAGENCY COMMITTEE FOR THE PURCHASE OF UNITED STATES BONDS

Ex. Ord. No. 11981, Mar. 29, 1977, 42 F.R. 17095, provided:

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, and as President of the United States of America, it is hereby ordered as follows:

SECTION 1. (a) There is hereby established the Interagency Committee for the Purchase of United States Savings Bonds (hereinafter referred to as the Committee). The Committee shall consist of a Chairman, who is to be appointed by the President for a term of two years, and the heads of Federal agencies. Each member of the Committee is responsible for the success of the Payroll Savings Program in his agency.

(b) Members of the Committee may designate an alternate, who shall serve as a member of the Committee whenever the regular member is unable to attend any meeting of the Committee. The alternate member may be authorized to act for the regular member in all appropriate matters relating to the Committee. In the case of an executive or military department, a Deputy Secretary or an Under Secretary may be designated as an alternate member. In the case of any other Federal agency, the alternate member shall be designated from among the officials thereof of appropriate rank.

(c) The Chairman will designate the Federal Payroll Savings Officer of the Savings Bonds Division, Department of the Treasury, to act as his liaison officer with members of the Committee.

SEC. 2. The Committee shall perform the following functions and duties:

(a) Formulating and presenting to the Federal agencies a plan of organization and sales promotion whereby the Payroll Savings Plan and Military Bond Allotment Plan, hereinafter referred to as the Plans, will be made available to all uniformed and civilian personnel of the government for the purchase of Savings Bonds, and whereby all such personnel will be urged to participate.

(b) Assisting the Federal agencies in installing the Plans and in solving any special problems that may develop in connection therewith.

(c) Acting as a clearinghouse for Federal agencies in compiling and disseminating such statistics and information with respect to the implementation and sales promotion of the Plans as may be appropriate.

(d) Recommending to the Federal agencies any methods for improvements in the program adopted pursuant to the Plans.

(e) The Committee will meet, and will be available to meet with the President, at least once each calendar year and at such other times as may be necessary to carry out its responsibilities.

SEC. 3. Each Federal agency shall institute and put into operation, as soon as practicable, a plan of organization and sales promotion recommended by the Committee, with such modifications as particular circumstances may render advisable.

SEC. 4. As used in this Order, the term “Federal agencies” means departments, agencies, and establishments of the Executive branch of the Government.

SEC. 5. This Order supersedes Executive Order No. 11532 of June 2, 1970.

JIMMY CARTER.

#### TRANSITIONAL RULE

Pub. L. 97-248, title II, § 289(b), Sept. 3, 1982, 96 Stat. 57, provided that for a savings bond issued before the 30th day after Sept. 3, 1982, for purposes of sections 757c and 757c-2 of former Title 31, the minimum yield for the period held is the scheduled investment yield for the period in effect on the 30th day.

### § 3106. Retirement and savings bonds

(a) With the approval of the President, the Secretary of the Treasury may issue retirement and savings bonds of the United States Government and may buy, redeem, and make refunds under section 3111 of this title. The proceeds from the bonds shall be used for expenditures authorized by law. Retirement and savings bonds may be issued only on a discount basis. The maturity period of the bonds shall be at least 10 years from the date of issue but not more than 30 years from the date of issue. The difference between the price paid and the amount received on redeeming a bond is interest under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

(b) With the approval of the President, the Secretary may allow owners of retirement and

savings bonds to keep the bonds after maturity and continue to earn interest on them at rates that are consistent with the rate of investment yield provided by retirement and savings bonds.

(c) Section 3105(c)(1)–(5) of this title applies to this section. Sections 3105(c)(6) and (d) and 3126 of this title apply to this section to the extent consistent with this section. The Secretary may prescribe the maximum amount of retirement and savings bonds issued under this section in a year that may be held by one person. However, the maximum amount shall be at least \$3,000.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 941; Pub. L. 97-452, § 1(8), Jan. 12, 1983, 96 Stat. 2468; Pub. L. 99-514, § 2, Oct. 22, 1986, 100 Stat. 2095.)

#### HISTORICAL AND REVISION NOTES 1982 ACT

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3106(a) .....	31:757c-2(a)(1st sentence), (b)(1)(1st sentence), (c)(1st sentence).	Sept. 24, 1917, ch. 56, 40 Stat. 288, § 22A(a)-(c)(1st sentence), (d); added Nov. 8, 1966, Pub. L. 89-800, § 5, 80 Stat. 1514.
3106(b) .....	31:757c-2(b)(1)(2d sentence words after 1st comma), (2).	
3106(c) .....	31:757c-2(a)(last sentence), (b)(1)(2d sentence words before 1st comma, 3d, last sentences), (d).	

In subsection (a), the words “In addition to the United States savings bonds authorized to be issued under section 757c of this title” are omitted as surplus. The words “through the United States Postal Service or otherwise” are omitted as surplus and unnecessary because of 39:411. The words “and may buy, redeem, and make refunds under section 3111 of this title” are added because of the restatement. The words “and to retire any outstanding obligations of the United States bearing interest or issued on a discount basis” are omitted as unnecessary because of section 3111 of the revised title. The words “as the terms thereof may provide” are omitted because of the restatement.

In subsection (b), the word “conditions” is substituted for “terms” for consistency in the revised title and with other titles of the United States Code. The words “by regulations” are omitted as unnecessary. The words “at their option” are omitted as surplus.

In subsection (c), the words “Section 3105(c)(1)–(5) of this title applies to this section” are substituted for 31:757c-2(a)(last sentence) and (b)(1)(2d sentence words before 1st comma, 3d sentence) to eliminate unnecessary words. The words “by regulations” are omitted as unnecessary.

#### 1983 ACT

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3106(b) .....	31 App.:757c-2 (b)(1) (2d sentence).	Sept. 3, 1982, Pub. L. 97-248, § 289(a)(2), 96 Stat. 571.

#### AMENDMENTS

1986—Subsec. (a). Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”.

1983—Subsec. (b). Pub. L. 97-452 struck out provisions that the issue price of retirement and savings bonds and the conditions under which they could be redeemed could give an investment yield of not more than 5 percent a year compounded semiannually.

### § 3107. Increasing interest rates and investment yields on retirement bonds

With the approval of the President, the Secretary of the Treasury may increase by regulation the interest rate or investment yield on an offering of bonds issued under this chapter that are described in sections 405(b) and 409(a) of the Internal Revenue Code of 1954 (26 U.S.C. 405(b), 409(a)), as in effect before the enactment of the Tax Reform Act of 1984. The increased yield shall be for interest accrual periods specified in the regulations so that the interest rate or investment yield on the bonds for those periods is consistent with the interest rate or investment yield on a new offering of those bonds.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 941; Pub. L. 98-369, div. A, title IV, § 491(d)(59), July 18, 1984, 98 Stat. 852.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3107 .....	31:752(last par.).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §1(last par.); added Dec. 24, 1980, Pub. L. 96-595, §2(a), 94 Stat. 3465.

The words “interest rate” are added for consistency in the chapter and with 26:405(b) and 409(a).

#### REFERENCES IN TEXT

Sections 405(b) and 409(a) of the Internal Revenue Code of 1954 (26 U.S.C. 405(b), 409(a)), referred to in text, were repealed by Pub. L. 98-369, div. A, title IV, § 491(a), (b), July 18, 1984, 98 Stat. 848.

Enactment of the Tax Reform Act of 1984, referred to in text, means the date of enactment of division A of Pub. L. 98-369, which was approved July 18, 1984.

#### AMENDMENTS

1984—Pub. L. 98-369 inserted “, as in effect before the enactment of the Tax Reform Act of 1984” after “(26 U.S.C. 405(b), 409(a))”.

#### EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 applicable to obligations issued after Dec. 31, 1983, see section 491(f)(1) of Pub. L. 98-369, set out as a note under section 62 of Title 26, Internal Revenue Code.

### § 3108. Prohibition against circulation privilege

An obligation issued under sections 3102-3104(a)(1) and 3105-3107 of this title may not bear the circulation privilege.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 942.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3108 .....	31:753(d)(1st sentence).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §18(d)(1st sentence); added Mar. 3, 1919, ch. 100, §1, 40 Stat. 1310.
	31:757c(d)(last sentence).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §22(d)(last sentence); added Feb. 4, 1935, ch. 5, §6, 49 Stat. 21; restated Feb. 19, 1941, ch. 7, §3, 55 Stat. 8.
	31:757c-2(c)(last sentence).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §22A(c)(last sentence); added Nov. 8, 1966, Pub. L. 89-800, §5, 80 Stat. 1515.
	31:758.	Sept. 24, 1917, ch. 56, §7(1st sentence), 40 Stat. 291.

The reference in 31:758 to certificates authorized under 31:757 is omitted because the authority under

31:757 was ended by section 2(b)(3) of the Public Debt Act of 1941 (ch. 7, 55 Stat. 7).

### § 3109. Tax and loss bonds

(a) The Secretary of the Treasury may issue tax and loss bonds of the United States Government and may buy, redeem, and make refunds under section 3111 of this title. The proceeds of the tax and loss bonds shall be used for expenditures authorized by law. Tax and loss bonds are nontransferrable except as provided by the Secretary, bear no interest, and shall be issued in amounts needed to allow persons to comply with section 832(e) of the Internal Revenue Code of 1986 (26 U.S.C. 832(e)). The Secretary may prescribe the amount of tax and loss bonds and the conditions under which the bonds will be issued as required by section 832(e).

(b) For a taxable year in which amounts are deducted from the mortgage guaranty account referred to in section 832(e)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 832(e)(3)), an amount of tax and loss bonds bought under section 832(e)(2) of the Internal Revenue Code of 1986 (26 U.S.C. 832(e)(2)) shall be redeemed for the amount deducted from the account. The amount redeemed shall be applied as necessary to pay taxes due because of the inclusion under section 832(b)(1)(E) of the Internal Revenue Code of 1986 (26 U.S.C. 832(b)(1)(E)) of amounts in gross income. The Secretary also may prescribe additional ways to redeem the bonds.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 942; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3109(a) .....	31:757c-3(1st-3d sentences).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §26; added Jan. 2, 1968, Pub. L. 90-240, §5(f), 81 Stat. 778.
3109(b) .....	31:757c-3(4th, last sentences).	

In subsection (a), the words “and may buy, redeem, and make refunds under section 3111 of this title” are substituted for “and to retire any outstanding obligations of the United States issued under this Act” for consistency. The words “subject to the limitations imposed by section 757b of this title” are omitted as surplus. The word “conditions” is substituted for “terms and conditions” because it is inclusive.

#### AMENDMENTS

1986—Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954” wherever appearing.

### § 3110. Sale of obligations of governments of foreign countries

(a) With the approval of the President, the Secretary of the Treasury may sell obligations of the government of a foreign country when the obligations were acquired under—

- (1) the First Liberty Bond Act and matured before June 16, 1947;
- (2) the Second Liberty Bond Act and matured before October 16, 1938; or
- (3) section 7(a) of the Victory Liberty Loan Act.

(b) The Secretary may prescribe the conditions and frequency for receiving payment under

obligations of a government of a foreign country acquired under the laws referred to in subsection (a) of this section. A sale of an obligation acquired under those Acts shall at least equal the purchase price and accrued interest. The proceeds of obligations sold under this section and payments received from governments on the principal of their obligations shall be used to redeem or buy (for not more than par value and accrued interest) bonds of the United States Government issued under this chapter. If those bonds cannot be redeemed or bought, the Secretary shall redeem or buy other outstanding interest-bearing obligations of the Government that are subject to redemption or which can be bought at not more than par value and accrued interest.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 942.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3110 .....	31:801. 31:802, 803. 31:804.	Sept. 24, 1917, ch. 56, § 3, 40 Stat. 289. Mar. 3, 1919, ch. 100, §§ 7(b), 8, 40 Stat. 1312, 1313. Apr. 24, 1917, ch. 4, § 3, 40 Stat. 35.

In the section, the words “government of a foreign country” are substituted for “foreign governments” for consistency in the revised title and with other titles of the United States Code.

In subsection (a), the text of 31:801 and 802 (related to converting certain obligations of foreign governments into obligations bearing a higher rate of interest or with a longer term to maturity) is omitted as executed.

In subsection (b), the text of 31:804 is omitted as unnecessary. The word “conditions” is substituted for “terms and conditions” because it is inclusive. The words “unless otherwise hereafter provided by law” are omitted as surplus.

#### REFERENCES IN TEXT

The First Liberty Bond Act, referred to in subsec. (a)(1), is act Apr. 24, 1917, ch. 4, 40 Stat. 35, which enacted sections 746, 755, 755a, 759, 764, 774, and 804 of former Title 31 and section 462a of Title 12, Banks and Banking, and amended sections 745 and 768 of former Title 31, and was repealed by Pub. L. 97-258, § 5(b), Sept. 13, 1982, 96 Stat. 1072.

The Second Liberty Bond Act, referred to in subsec. (a)(2), is act Sept. 24, 1917, ch. 56, 40 Stat. 288, as amended, which enacted sections 747, 752 to 754b, 757, 757b, 757c to 757e, 758, 760, 765, 766, 771, 773, and 801 and amended sections 745, 764, 769, and 774 of former Title 31, and was repealed by Pub. L. 97-258, § 5(b), Sept. 13, 1982, 96 Stat. 1072.

Section 7(a) of the Victory Liberty Loan Act, referred to in subsec. (a)(3), is section 7(a) of act Mar. 3, 1919, ch. 100, 40 Stat. 1309, and was repealed by Pub. L. 97-258, § 5(b), Sept. 13, 1982, 96 Stat. 1072.

### § 3111. New issue used to buy, redeem, or refund outstanding obligations

An obligation may be issued under this chapter to buy, redeem, or refund, at or before maturity, outstanding bonds, notes, certificates of indebtedness, Treasury bills, or savings certificates of the United States Government. Under regulations of the Secretary of the Treasury, money received from the sale of an obligation and other money in the general fund of the Treasury may be used in making the purchases, redemptions, or refunds.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 942.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3111 .....	31:754a.	Sept. 24, 1917, ch. 56, 40 Stat. 288, § 19; added Jan. 30, 1934, ch. 6, § 14(a)(4), 48 Stat. 343; restated Mar. 28, 1942, ch. 205, § 4, 56 Stat. 189.

The words “regulations of” are substituted for “rules, regulations, terms, and conditions . . . may prescribe” to eliminate unnecessary words.

### § 3112. Sinking fund for retiring and cancelling bonds and notes

(a) The Department of the Treasury has a sinking fund for retiring bonds and notes issued under this chapter. Amounts in the fund are appropriated for payment of bonds and notes at maturity or for their redemption or purchase before maturity by the Secretary of the Treasury. The fund is available until all the bonds and notes are retired.

(b) For each fiscal year, an amount is appropriated equal to—

(1) the interest that would have been payable during the fiscal year for which the appropriation is made on the bonds and notes bought, redeemed, or paid out of the fund during that or prior years;

(2) 2.5 percent of the total amount of bonds and notes issued under the First Liberty Bond Act, the Second Liberty Bond Act, the Third Liberty Bond Act, the Fourth Liberty Bond Act, and the Victory Liberty Loan Act and outstanding on July 1, 1920, less an amount equal to the par amount of obligations of governments of foreign countries that the United States Government held on July 1, 1920; and

(3) 2.5 percent of the total amount expended after June 29, 1933, from appropriations made or authorized in sections 301 and 302 of the Emergency Relief and Construction Act of 1932.

(c) The Secretary may prescribe the price and conditions for paying, redeeming, and buying bonds and notes under this section. The average cost of bonds and notes bought under this section may not be more than par value and accrued interest. Bonds and notes bought, redeemed, or paid out of the sinking fund must be canceled and retired and may not be reissued.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 943.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3112(a) .....	31:767(less 2d sentence related to price, terms, and conditions, 3d, 4th sentences).	Mar. 3, 1919, ch. 100, § 6, 40 Stat. 1311; Mar. 2, 1923, ch. 179, 42 Stat. 1427; May 29, 1928, ch. 901, § 1(21), 45 Stat. 987; Jan. 30, 1934, ch. 6, § 14(b), 48 Stat. 344.
3112(b) .....	31:767(last sentence). 31:767b.	Mar. 3, 1933, ch. 212, § 1(last par. on p. 1492), 47 Stat. 1492; Mar. 15, 1934, ch. 70, § 1(2d complete par. on p. 428), 48 Stat. 428.
3112(c) .....	31:767(2d sentence related to price, terms, and conditions, 3d, 4th sentences).	

In subsection (a), the word “cumulative” is omitted as surplus. The words “under this chapter” are substituted for “under the First Liberty Bond Act, the Second Liberty Bond Act, the Third Liberty Bond Act, the Fourth Liberty Bond Act, or under this Act, and outstanding on July 1, 1920, and of bonds and notes thereafter issued, under any of such Acts or under any of such Acts as amended” to eliminate unnecessary words, reference to laws that have been executed, and to reflect consolidation of the public debt authority in the revised chapter. The words “and all additions thereto” are omitted as surplus.

Subsection (b)(1) and (2) is substituted for 31:767(last sentence) to eliminate unnecessary words.

In subsection (b)(3), the text of 31:767b(related to 31:767a) is omitted as obsolete.

In subsection (c), the word “conditions” is substituted for “terms and conditions” because it is inclusive.

#### REFERENCES IN TEXT

The First Liberty Bond Act, referred to in subsec. (b)(2), is act Apr. 24, 1917, ch. 4, 40 Stat. 35, which enacted sections 746, 755, 755a, 759, 764, 774, and 804 of former Title 31 and section 462a of Title 12, Banks and Banking, and amended sections 745 and 768 of former Title 31, and was repealed by Pub. L. 97-258, § 5(b), Sept. 13, 1982, 96 Stat. 1072.

The Second Liberty Bond Act, referred to in subsec. (b)(2), is act Sept. 24, 1917, ch. 56, 40 Stat. 288, as amended, which enacted sections 747, 752 to 754b, 757, 757b, 757c to 757e, 758, 760, 765, 766, 771, 773, and 801 and amended sections 745, 764, 769, and 774 of former Title 31, and was repealed by Pub. L. 97-258, § 5(b), Sept. 13, 1982, 96 Stat. 1072.

The Third Liberty Bond Act, referred to in subsec. (b)(2), is act Apr. 4, 1918, ch. 44, 40 Stat. 502, which enacted sections 765, 766, and 774 and amended sections 752, 752a, 754, and 771 of former Title 31, and was repealed by Pub. L. 97-258, § 5(b), Sept. 13, 1982, 96 Stat. 1072.

The Fourth Liberty Bond Act, referred to in subsec. (b)(2), is act July 9, 1918, ch. 142, 40 Stat. 844, which enacted sections 750 and 772 and amended sections 752 and 774 of former Title 31, and was repealed by Pub. L. 97-258, § 5(b), Sept. 13, 1982, 96 Stat. 1072.

The Victory Liberty Loan Act, referred to in subsec. (b)(2), is act Mar. 3, 1919, ch. 100, 40 Stat. 1309, which enacted sections 749, 753, 763, 767, 802, and 803 and amended sections 750, 754, and 774 of former Title 31 and section 343 of Title 15, Commerce and Trade, and was repealed by Pub. L. 97-258, § 5(b), Sept. 13, 1982, 96 Stat. 1072.

Sections 301 and 302 of the Emergency Relief and Construction Act of 1932, referred to in subsec. (b)(3), are sections 301 and 302 of act July 21, 1932, ch. 520, 47 Stat. 709, which are not classified to the Code.

### § 3113. Accepting gifts

(a) To provide the people of the United States with an opportunity to make gifts to the United States Government to be used to reduce the public debt—

(1) the Secretary of the Treasury may accept for the Government a gift of—

(A) money made only on the condition that it be used to reduce the public debt;

(B) an obligation of the Government included in the public debt made only on the condition that the obligation be canceled and retired and not reissued; and

(C) other intangible personal property made only on the condition that the property is sold and the proceeds from the sale used to reduce the public debt; and

(2) the Administrator of General Services may accept for the Government a gift of tan-

gible property made only on the condition that it be sold and the proceeds from the sale be used to reduce the public debt.

(b) The Secretary and the Administrator each may reject a gift under this section when the rejection is in the interest of the Government.

(c) The Secretary and the Administrator shall convert a gift either of them accepts under subsection (a)(1)(C) or (2) of this section to money on the best terms available. If a gift accepted under subsection (a) of this section is subject to a gift or inheritance tax, the Secretary or the Administrator may pay the tax out of the proceeds of the gift or the proceeds of the redemption or sale of the gift.

(d) The Treasury has an account into which money received as gifts and proceeds from the sale or redemption of gifts under this section shall be deposited. The Secretary shall use the money in the account to pay at maturity, or to redeem or buy before maturity, an obligation of the Government included in the public debt. An obligation of the Government that is paid, redeemed, or bought with money from the account shall be canceled and retired and may not be reissued. Money deposited in the account is appropriated and may be expended to carry out this section.

(e)(1) The Secretary shall redeem a direct obligation of the Government bearing interest or sold on a discount basis on receiving it when the obligation—

(A) is given to the Government;

(B) becomes the property of the Government under the conditions of a trust; or

(C) is payable on the death of the owner to the Government (or to an officer of the Government in the officer's official capacity).

(2) If the gift or transfer to the Government is subject to a gift or inheritance tax, the Secretary shall pay the tax out of the proceeds of redemption.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 943.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3113(a) .....	31:901(less (b)(proviso)).	June 27, 1961, Pub. L. 87-58, 75 Stat. 119.
3113(b) .....	31:901(b)(proviso).	
3113(c) .....	31:902, 903.	
3113(d) .....	31:904.	
3113(e) .....	31:757e.	Sept. 24, 1917, ch. 56, 40 Stat. 288, § 24; added Apr. 3, 1945, ch. 51, § 4, 59 Stat. 48.

In subsection (a), before clause (1), the words “In order” are omitted as surplus. The words “To provide” are substituted for “to afford” for clarity. The words “for the purpose” are omitted as unnecessary. In clauses (1) and (2), the word “for” is substituted for “on behalf of” for consistency. The word “realized” is omitted as surplus. In clause (2), the word “tangible” is substituted for “real or personal” to eliminate unnecessary words.

In subsections (b) and (c), the words “as the case may be” are omitted as unnecessary.

In subsection (c), the words “under applicable law” are omitted as surplus.

In subsection (d), the words “on the books of” and “special” are omitted as surplus. The words “proceeds from the sale or redemption of gifts” are substituted for “all money received as a result of the conversion into money of gifts of property other than money received” for clarity and consistency.

In subsection (e)(1), the word “Secretary” is substituted for “Treasurer of the United States” because of the source provisions restated in section 321(c) of the revised title. In clause (A), the word “given” is substituted for “is donated . . . is bequeathed by will” to eliminate unnecessary words. In clause (B), the word “conditions” is substituted for “terms” for consistency in the revised title and with other titles of the United States Code. In clause (C), the words “by its terms” are omitted as surplus.

In subsection (e)(2), the words “under applicable law” and “bequest” are omitted as surplus. The words “and shall deposit the balance in the Treasury as miscellaneous receipts or as otherwise authorized by law” are omitted as surplus because of section 3302(a) of the revised title. The text of 31:75e(last sentence) is omitted because of the restatement.

## SUBCHAPTER II—ADMINISTRATIVE

### § 3121. Procedure

(a) In issuing obligations under sections 3102–3104 of this title, the Secretary of the Treasury may prescribe—

- (1) whether an obligation is to be issued on an interest-bearing basis, a discount basis, or an interest-bearing and discount basis;
- (2) regulations on the conditions under which the obligation will be offered for sale, including whether it will be offered for sale on a competitive or other basis;
- (3) the offering price and interest rate;
- (4) the method of computing the interest rate;
- (5) the dates for paying principal and interest;
- (6) the form and denominations of the obligations; and
- (7) other conditions.

(b)(1) Under conditions prescribed by the Secretary, an obligation issued under this chapter and redeemable on demand of the owner or holder may be used to pay the United States Government for taxes imposed by it.

(2) An obligation of the Government issued after March 3, 1971, under law may not be redeemed before its maturity to pay a tax imposed by the Government in an amount more than the fair market value of the obligation at the time of its redemption. This paragraph does not apply to a Treasury bill issued under section 3104 of this title.

(c) Under conditions prescribed by the Secretary, an obligation authorized by this chapter may be issued in exchange for an obligation of an agency whose principal and interest are unconditionally guaranteed by the Government at or before maturity.

(d) Under conditions prescribed by the Secretary, the Secretary may issue registered bonds in exchange for and instead of coupon bonds that have been or may be issued. The registered bonds shall be similar in all respects to the registered bonds issued under a law authorizing the issue of coupon bonds offered for exchange.

(e) A decision of the Secretary about an issue of obligations under sections 3102–3104 of this title is final.

(f) The Secretary may accept voluntary services in carrying out the sale of public debt obligations.

(g)(1) In this subsection, “registration-required obligation” means an obligation except an obligation—

- (A) not of a type offered to the public; or
- (B) having a maturity (at issue) of not more than one year.

(2) Every registration-required obligation of the Government shall be in registered form. A book entry obligation is deemed to be in registered form if the right to principal and stated interest on the obligation may be transferred only through a book entry consistent with regulations of the Secretary.

(3) The Secretary shall prescribe regulations necessary to carry out this subsection when there is a nominee.

(h)(1) The Secretary shall prescribe by regulation standards for the safeguarding and use of obligations issued under this chapter, and obligations otherwise issued or guaranteed as to principal or interest by the United States. Such regulations shall apply only to a depository institution that is not a government securities broker or a government securities dealer and that holds such obligations as fiduciary, custodian, or otherwise for the account of a customer and not for its own account. Such regulations shall provide for the adequate segregation of obligations so held, including obligations which are purchased or sold subject to resale or repurchase.

(2) Violation of a regulation prescribed under paragraph (1) shall constitute adequate basis for the issuance of an order under section 5239(a) or (b) of the Revised Statutes (12 U.S.C. 93(a) or (b)), section 8(b) or 8(c) of the Federal Deposit Insurance Act, section 5(d)(2) or 5(d)(3)<sup>1</sup> of the Home Owners’ Loan Act of 1933, section 407(e) or 407(f)<sup>1</sup> of the National Housing Act, or section 206(e) or 206(f) of the Federal Credit Union Act. Such an order may be issued with respect to a depository institution by its appropriate regulatory agency and with respect to a federally insured credit union by the National Credit Union Administration Board.

(3) Nothing in this subsection shall be construed to affect in any way the powers of such agencies under any other provision of law.

(4) The Secretary shall, prior to adopting regulations under this subsection, determine with respect to each appropriate regulatory agency and the National Credit Union Administration Board, whether its rules and standards adequately meet the purposes of regulations to be promulgated under this subsection, and if the Secretary so determines, shall exempt any depository institution subject to such rules or standards from the regulations promulgated under this subsection.

(5) As used in this subsection—

(A) “depository institution” has the meaning stated in clauses (i) through (vi) of section 19(b)(1)(A) of the Federal Reserve Act and also includes a foreign bank, an agency or branch of a foreign bank, and a commercial lending company owned or controlled by a foreign bank (as such terms are defined in the International Banking Act of 1978).

(B) “government securities broker” has the meaning prescribed in section 3(a)(43) of the Securities Exchange Act of 1934.

<sup>1</sup> See References in Text note below.

(C) “government securities dealer” has the meaning prescribed in section 3(a)(44) of the Securities Exchange Act of 1934.

(D) “appropriate regulatory agency” has the meaning prescribed in section 3(a)(34)(G) of the Securities Exchange Act of 1934.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 944; Pub. L. 97-452, §1(9), Jan. 12, 1983, 96 Stat. 2468; Pub. L. 99-571, title II, §201(a), Oct. 28, 1986, 100 Stat. 3222; Pub. L. 111-147, title V, §502(d), Mar. 18, 2010, 124 Stat. 108.)

#### HISTORICAL AND REVISION NOTES 1982 ACT

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3121(a) .....	31:752(2d par. related to form of bonds).  31:753(a)(related to form of notes, certificates of indebtedness, and Treasury bills).  31:754(a)(related to form of certificates of indebtedness and Treasury bills).  31:754b(a)(less last 12 words).  31:768(words after semicolon).	Sept. 24, 1917, ch. 56, §1(2d par. related to form of bonds), 40 Stat. 288; restated Apr. 4, 1918, ch. 44, §1, 40 Stat. 503. Sept. 24, 1917, ch. 56, 40 Stat. 288, §18(a)(related to form of notes, certificates of indebtedness, and Treasury bills); added Mar. 3, 1919, ch. 100, §1, 40 Stat. 1310; restated Feb. 4, 1935, ch. 5, §4, 49 Stat. 20. Sept. 24, 1917, ch. 56, §5(a)(related to form of certificates of indebtedness and Treasury bills, finality), 40 Stat. 290; restated June 17, 1929, ch. 26, 46 Stat. 20. Sept. 24, 1917, ch. 56, 40 Stat. 288, §20; added Jan. 30, 1934, ch. 6, §14(a)(4), 48 Stat. 343; restated Mar. 28, 1942, ch. 205, §3, 56 Stat. 189. Feb. 4, 1910, ch. 25, §1(words after semicolon), 36 Stat. 192.
3121(b)(1) 3121(b)(2)	31:754b(b). 31:757c-4.	Sept. 24, 1917, ch. 56, 40 Stat. 288, §27; added Mar. 17, 1971, Pub. L. 92-5, §4(b), 85 Stat. 5.
3121(c) .....	31:754b(c).	R.S. §3706.
3121(d) .....	31:739.	
3121(e) .....	31:754(a)(related to finality). 31:754b(a)(last 12 words).	
3121(f) .....	31:772a.	June 1, 1955, ch. 119, §2, 69 Stat. 82.

In subsection (a)(1), the word “combination” is omitted as surplus.

In subsection (a)(2), the word “conditions” is substituted for “terms and conditions” because it is inclusive.

In subsection (a)(3), the words “offering” and “interest rate” are added for clarity.

In subsection (b)(1), the word “issued” is substituted for “authorized” for clarity. The words “the Commissioner of Internal Revenue” are omitted because of the source provisions restated in section 321 of the revised title.

In subsection (b)(2), the words “In the case of” are omitted as surplus. The words “under law” are substituted for “under this Act or under any other provision of law” because they are inclusive. The words “the terms and conditions of issue” are omitted as unnecessary. The word “permit” is omitted as surplus.

In subsection (c), the word “conditions” is substituted for “regulations and upon such terms” to eliminate unnecessary words and for consistency in the revised title and with other titles of the United States Code. The word “agency” is substituted for “agency or instrumentality of the United States” because of section 101 of the revised title and for consistency.

In subsection (d), the word “conditions” is substituted for “terms and under such regulations” to eliminate unnecessary words and for consistency in the revised title and with other titles of the Code. The words “instead of” are substituted for “in lieu of” for clarity.

In subsection (f), the words “in carrying out” are substituted for “in connection with the program for” to eliminate unnecessary words.

#### 1983 ACT

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3121(g) .....	31 App.:757c-5.	Sept. 24, 1917, ch. 56, 40 Stat. 288, §28; added Sept. 3, 1982, Pub. L. 97-248, §310(a), 96 Stat. 595.

In subsection (g)(1), before clause (A), the words “Except as provided in paragraph (2)” and “(2) The term ‘registration-required obligation’ shall not include any obligation if” are omitted because of the restatement. Clause (C) is added for clarity.

In subsection (g)(2)(B)(i), the words “territories and” are added for consistency in the revised title and with other titles of the United States Code.

In subsection (g)(3), the words “(or of any agency or instrumentality thereof)” are omitted as included in “Government”. The words “For purposes of subsection (a)” are omitted as surplus. The words “is deemed to be” are substituted for “shall be treated as” for consistency in the revised title and with other titles of the Code.

In subsection (g)(4), the words “or chain of nominees” are omitted as included in “nominee” and because of 1:1.

#### REFERENCES IN TEXT

Section 8(b) or (c) of the Federal Deposit Insurance Act, referred to in subsec. (h)(2), is classified to section 1818(b), (c) of Title 12, Banks and Banking.

Section 5(d)(2) or 5(d)(3) of the Home Owners’ Loan Act of 1933, referred to in subsec. (h)(2), is classified to section 1464(d)(2), (3) of Title 12, but was amended generally by Pub. L. 101-73, title III, §301, Aug. 9, 1989, 103 Stat. 282, and no longer relates to issuance of orders. See section 1464(d)(1) of Title 12.

Section 407 of the National Housing Act, referred to in subsec. (h)(2), which was classified to section 1730 of Title 12, was repealed by Pub. L. 101-73, title IV, §407, Aug. 9, 1989, 103 Stat. 363.

Section 206(e) or 206(f) of the Federal Credit Union Act, referred to in subsec. (h)(2), is classified to section 1786(e), (f) of Title 12.

Clauses (i) through (vi) of section 19(b)(1)(A) of the Federal Reserve Act, referred to in subsec. (h)(5)(A), are classified to cls. (i) through (vi) of section 461(b)(1)(A) of Title 12.

The International Banking Act of 1978, referred to in subsec. (h)(5)(A), is Pub. L. 95-369, Sept. 17, 1978, 92 Stat. 607, which enacted chapter 32 (§3101 et seq.) and sections 347d and 611a of Title 12, Banks and Banking, amended sections 72, 378, 614, 615, 618, 619, 1813, 1815, 1817, 1818, 1820, 1821, 1822, 1823, 1828, 1829b, 1831b, and 1841 of Title 12, and enacted provisions set out as notes under sections 36, 247, 601, 611a, and 3101 of Title 12. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of Title 12 and Tables.

Section 3(a)(43), (44), (34)(G), of the Securities Exchange Act of 1934, referred to in subsec. (h)(5)(B) to (D), is classified to section 78c(a)(43), (44), (34)(G) of Title 15, Commerce and Trade.

#### AMENDMENTS

2010—Subsec. (g)(1). Pub. L. 111-147, §502(d)(2), inserted “or” at end of subpar. (A), substituted period for “; or” in subpar. (B), and struck out subpar. (C) which read as follows: “described in paragraph (2) of this subsection.”

Subsec. (g)(2) to (4). Pub. L. 111-147, §502(d)(1), redesignated pars. (3) and (4) as (2) and (3), respectively, and struck out former par. (2) which read as follows: “An obligation is not a registration-required obligation if—

“(A) there are arrangements reasonably designed to ensure that the obligation will be sold (or resold in



connection with the original issue) only to a person that is not a United States person; and

“(B) for an obligation not in registered form—

“(i) interest on the obligation is payable only outside the United States and its territories and possessions; and

“(ii) a statement is on the face of the obligation that a United States person holding the obligation is subject to limitations under the United States income tax laws.”

1986—Subsec. (h). Pub. L. 99-571 added subsec. (h).

1983—Subsec. (g). Pub. L. 97-452 added subsec. (g).

#### EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111-147 applicable to obligations issued after the date which is 2 years after Mar. 18, 2010, see section 502(f) of Pub. L. 111-147, set out as a note under section 149 of Title 26, Internal Revenue Code.

#### EFFECTIVE DATE OF 1986 AMENDMENT; PROMULGATION OF REGULATIONS

Amendment by Pub. L. 99-571 effective 270 days after Oct. 28, 1986, except that the Secretary of the Treasury and each appropriate regulatory agency shall publish for notice and public comment within 120 days after Oct. 28, 1986, initial implementing regulations to become effective as temporary regulations 210 days after Oct. 28, 1986, and as final regulations not later than 270 days after Oct. 28, 1986, see title IV of Pub. L. 99-571, set out as an Effective Date note under section 780-5 of Title 15, Commerce and Trade.

#### EFFECTIVE DATE OF 1983 AMENDMENT

Pub. L. 98-216, §4(a), (b), Feb. 14, 1984, 98 Stat. 6, 7, as amended by Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095, provided that:

“(a)(1) Except as provided in paragraph (2) of this subsection, the amendment made by section 1(9) of the Act of January 12, 1983 (Public Law 97-452, 96 Stat. 2468) [amending this section], applies to an obligation issued under section 3102(a) of title 31, United States Code, after September 3, 1982.

“(2) The amendment made by section 1(9) of the Act of January 12, 1983 (Public Law 97-452, 96 Stat. 2468) [amending this section], applies to an obligation issued after June 30, 1983, if—

“(A) interest on the obligation is exempt from tax (decided without regard to the amendments made by section 310 of the Tax Equity and Fiscal Responsibility Act of 1982 (Public Law 97-248, 96 Stat. 595) [enacting section 4701 of Title 26, Internal Revenue Code, section 757c-5 of former Title 31, Money and Finance, amending sections 103, 103A, 163, 165, 312, and 1232 of Title 26, and enacting a provision set out as a note under section 103 of Title 26]) under law (without regard to the identity of the holder); and

“(B) the obligation was not required to be in registered form under the Internal Revenue Code of 1986 [formerly I.R.C. 1954] (26 U.S.C. 1 et seq.) as in effect on September 2, 1982.

“(b) The amendment made by section 1(9) of the Act of January 12, 1983 (Public Law 97-452, 96 Stat. 2468) [amending this section], applies to an obligation issued under section 3103(a) of title 31, United States Code, after December 31, 1982.”

#### TRANSITIONAL AND SAVINGS PROVISIONS

For transitional and savings provisions of Pub. L. 99-571, see section 301 of Pub. L. 99-571, set out as a note under section 780-5 of Title 15, Commerce and Trade.

#### COLLECTION OF DEFINITIVE SECURITY AND ANNUAL MAINTENANCE FEES

Pub. L. 103-329, title I, Sept. 30, 1994, 108 Stat. 2386, provided in part: “That in fiscal year 1995 and thereafter, the Secretary is authorized to collect fees of not less than \$46 for each definitive security issue provided to customers, and an annual maintenance fee of not

less than \$25 for each Treasury Direct Investor Account exceeding \$100,000 in par value: *Provided further*, That in fiscal year 1995 and thereafter, of the definitive security fees collected, not to exceed \$600,000, and of the annual maintenance fees for Treasury Direct Investor Account collected, not to exceed \$2,500,000, shall be retained and used in the current fiscal year for the specific purpose of offsetting costs of Bureau of the Public Debt's marketable security activities, and any fees collected in excess of said amounts shall be deposited as miscellaneous receipts in the Treasury”.

#### TREASURY AUCTION REFORMS

Pub. L. 103-202, title II, §202, Dec. 17, 1993, 107 Stat. 2356, provided that:

“(a) ABILITY TO SUBMIT COMPUTER TENDERS IN TREASURY AUCTIONS.—By the end of 1995, any bidder shall be permitted to submit a computer-generated tender to any automated auction system established by the Secretary of the Treasury for the sale upon issuance of securities issued by the Secretary if the bidder—

“(1) meets the minimum creditworthiness standard established by the Secretary; and

“(2) agrees to comply with regulations and procedures applicable to the automated system and the sale upon issuance of securities issued by the Secretary.

“(b) PROHIBITION ON FAVORED PLAYERS.—

“(1) IN GENERAL.—No government securities broker or government securities dealer may receive any advantage, favorable treatment, or other benefit, in connection with the purchase upon issuance of securities issued by the Secretary of the Treasury, which is not generally available to other government securities brokers or government securities dealers under the regulations governing the sale upon issuance of securities issued by the Secretary of the Treasury.

“(2) EXCEPTION.—

“(A) IN GENERAL.—The Secretary of the Treasury may grant an exception to the application of paragraph (1) if—

“(i) the Secretary determines that any advantage, favorable treatment, or other benefit referred to in such paragraph is necessary and appropriate and in the public interest; and

“(ii) the grant of the exception is designed to minimize any anticompetitive effect.

“(B) ANNUAL REPORT.—The Secretary of the Treasury shall submit an annual report to the Congress describing any exception granted by the Secretary under subparagraph (A) during the year covered by the report and the basis upon which the exception was granted.

“(c) MEETINGS OF TREASURY BORROWING ADVISORY COMMITTEE.—

“(1) OPEN MEETINGS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), any meeting of the Treasury Borrowing Advisory Committee of the Public Securities Association (hereafter in this subsection referred to as the ‘advisory committee’), or any successor to the advisory committee, shall be open to the public.

“(B) EXCEPTION.—Subparagraph (A) shall not apply with respect to any part of any meeting of the advisory committee in which the advisory committee—

“(i) discusses and debates the issues presented to the advisory committee by the Secretary of the Treasury; or

“(ii) makes recommendations to the Secretary.

“(2) MINUTES OF EACH MEETING.—The detailed minutes required to be maintained under section 10(c) of the Federal Advisory Committee Act [5 U.S.C. App.] for any meeting by the advisory committee shall be made available to the public within 3 business days of the date of the meeting.

“(3) PROHIBITION ON RECEIPT OF GRATUITIES OR EXPENSES BY ANY OFFICER OR EMPLOYEE OF THE BOARD OR DEPARTMENT.—In connection with any meeting of the advisory committee, no officer or employee of the De-

partment of the Treasury, the Board of Governors of the Federal Reserve System, or any Federal reserve bank may accept any gratuity, consideration, expense of any sort, or any other thing of value from any advisory committee described in subsection (c), any member of such committee, or any other person.

“(4) PROHIBITION ON OUTSIDE DISCUSSIONS.—

“(A) IN GENERAL.—Subject to subparagraph (B), a member of the advisory committee may not discuss any part of any discussion, debate, or recommendation at a meeting of the advisory committee which occurs while such meeting is closed to the public (in accordance with paragraph (1)(B)) with, or disclose the contents of such discussion, debate, or recommendation to, anyone other than—

“(i) another member of the advisory committee who is present at the meeting; or

“(ii) an officer or employee of the Department of the Treasury.

“(B) APPLICABLE PERIOD OF PROHIBITION.—The prohibition contained in subparagraph (A) on discussions and disclosures of any discussion, debate, or recommendation at a meeting of the advisory committee shall cease to apply—

“(i) with respect to any discussion, debate, or recommendation which relates to the securities to be auctioned in a midquarter refunding by the Secretary of the Treasury, at the time the Secretary makes a public announcement of the refunding; and

“(ii) with respect to any other discussion, debate, or recommendation at the meeting, at the time the Secretary releases the minutes of the meeting in accordance with paragraph (2).

“(C) REMOVAL FROM ADVISORY COMMITTEE FOR VIOLATIONS OF THIS PARAGRAPH.—In addition to any penalty or enforcement action to which a person who violates a provision of this paragraph may be subject under any other provision of law, the Secretary of the Treasury shall—

“(i) remove a member of the advisory committee who violates a provision of this paragraph from the advisory committee and permanently bar such person from serving as a member of the advisory committee; and

“(ii) prohibit any director, officer, or employee of the firm of which the member referred to in clause (i) is a director, officer, or employee (at the time the member is removed from the advisory committee) from serving as a member of the advisory committee at any time during the 5-year period beginning on the date of such removal.

“(d) REPORT TO CONGRESS.—

“(1) REPORT REQUIRED.—The Secretary of the Treasury shall submit an annual report to the Congress containing the following information with respect to material violations or suspected material violations of regulations of the Secretary relating to auctions and other offerings of securities upon the issuance of such securities by the Secretary:

“(A) The number of inquiries begun by the Secretary during the year covered by the report regarding such material violations or suspected material violations by any participant in the auction system or any director, officer, or employee of any such participant and the number of inquiries regarding any such violations or suspected violations which remained open at the end of such year.

“(B) A brief description of the nature of the violations.

“(C) A brief description of any action taken by the Secretary during such year with respect to any such violation, including any referrals made to the Attorney General, the Securities and Exchange Commission, any other law enforcement agency, and any Federal banking agency (as defined in section 3 of the Federal Deposit Insurance Act [12 U.S.C. 1813]).

“(2) DELAY IN DISCLOSURE OF INFORMATION IN CERTAIN CASES.—The Secretary of the Treasury shall not

be required to include in a report under paragraph (1) any information the disclosure of which could jeopardize an investigation by an agency described in paragraph (1)(C) for so long as such disclosure could jeopardize the investigation.”

#### NOTICE ON TREASURY MODIFICATIONS TO AUCTION PROCESS

Pub. L. 103-202, title II, § 203, Dec. 17, 1993, 107 Stat. 2359, provided that: “The Secretary of the Treasury shall notify the Congress of any significant modifications to the auction process for issuing United States Treasury obligations at the time such modifications are implemented.”

### § 3122. Banks and trust companies as depositaries

(a) The Secretary of the Treasury may designate incorporated banks and trust companies as depositaries for any part of proceeds of an obligation issued under this chapter. The Secretary may prescribe the conditions under which deposits may be made under this section, including the interest rate on amounts deposited and security requirements.

(b) The Secretary may designate a bank or trust company that is a depositary under subsection (a) of this section as a fiscal agent of the United States Government in selling and delivering bonds and certificates of indebtedness issued by the Government.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 945.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3122(a) .....	31:753(d)(last sentence related to 31:771).	Sept. 24, 1917, ch. 56, 40 Stat. 288, § 18(d)(last sentence related to § 8); added Mar. 3, 1919, ch. 100, § 1, 40 Stat. 1309.
	31:771.	Sept. 24, 1917, ch. 56, § 8, 40 Stat. 291; restated Apr. 4, 1918, ch. 44, § 5, 40 Stat. 504; Jan. 30, 1934, ch. 6, § 14(a)(2), 48 Stat. 343; Aug. 27, 1949, ch. 517, § 7(b), 63 Stat. 668; Sept. 21, 1966, Pub. L. 89-597, § 2(d), 80 Stat. 824.
3122(b) .....	31:772.	July 9, 1918, ch. 142, § 4, 40 Stat. 845.

In the section, the words “war-savings certificates” are omitted because the authority to issue them was ended by section 2(b)(3) of the Public Debt Act of 1941 (ch. 7, 55 Stat. 7).

In subsection (a), the words “in his discretion” are omitted as surplus. The word “obligation” is substituted for “bonds and certificates of indebtedness, Treasury bills” for consistency and to eliminate unnecessary words. The words “and arising from the payment of internal revenue taxes” are omitted as superseded by 26:6302(c). The word “conditions” is substituted for “terms and conditions” because it is inclusive. The words “upon and” are omitted as surplus.

In subsection (b), the words “The Secretary may designate a bank or trust company that is a depositary under subsection (a) of this section” are substituted for “Any incorporated bank or trust company designated as a depositary by the Secretary of the Treasury under the authority conferred by section 771 of this title, which gives security for such deposits as, and to amounts, by him prescribed, may, upon and subject to such terms and conditions as the Secretary of the Treasury may prescribe, act” to eliminate unnecessary words.

### § 3123. Payment of obligations and interest on the public debt

(a) The faith of the United States Government is pledged to pay, in legal tender, principal and interest on the obligations of the Government issued under this chapter.

(b) The Secretary of the Treasury shall pay interest due or accrued on the public debt. As the Secretary considers expedient, the Secretary may pay in advance interest on the public debt by a period of not more than one year, with or without a rebate of interest on the coupons.

(c)(1) The Secretary may issue a bond, note, or certificate of indebtedness authorized under this chapter whose principal and interest are payable in a foreign currency stated in the bond, note, or certificate. The Secretary may dispose of the bonds, notes, and certificates at a price that is at least par value without complying with section 3102(b)–(d) of this title.

(2) In determining the dollar amount of bonds, notes, and certificates of indebtedness that may be issued under this chapter, the dollar equivalent of the amount of bonds, notes, and certificates payable in a foreign currency is determined by the par of the exchange value on the date of issue of the bonds, notes, or certificates as published by the Secretary under section 5151 of this title.

(3) The Secretary may designate depositories in foreign countries in which any part of the proceeds of bonds, notes, or certificates of indebtedness payable in the foreign currency may be deposited.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 945.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3123(a) .....	31:731. 31:753(d)(2d sentence).	R.S. §3693. Sept. 24, 1917, ch. 56, 40 Stat. 288, §18(d)(2d sentence); added Mar. 3, 1919, ch. 100, §1, 40 Stat. 1310. Feb. 4, 1910, ch. 25, §1(words before semicolon), 36 Stat. 192.
3123(b) .....	31:732. 31:733(words before semicolon).	R.S. §3698. R.S. §3699(words before semicolon); restated Jan. 30, 1934, ch. 6, §9, 48 Stat. 341.
3123(c) .....	31:766.	Sept. 24, 1917, ch. 56, 40 Stat. 288, §16; added Apr. 4, 1918, ch. 44, §6, 40 Stat. 505; Nov. 13, 1966, Pub. L. 89–809, §401, 80 Stat. 1590.

In subsection (a), the words “legal tender” are substituted for “in coin or its equivalent” in 31:731 and “gold coin of the present standard of value” in section 1 of the Act of Feb. 1, 1910, and section 18(d)(2d sentence) of the Second Liberty Bond Act because of section 1 of the Act of June 5, 1933 (ch. 48, 48 Stat. 113). The words “obligations of the Government” are substituted for 31:731(1st sentence 18th–last words), “thereof” in 31:753(d), and 31:768(1st 17 words) for clarity and consistency and to eliminate unnecessary words. The text of 31:731(last sentence) is omitted as executed.

In subsection (b), the words “cause to be”, “out of any money in the Treasury not otherwise appropriated”, “falling”, “any portion of”, and “authorized by law” in 31:732 are omitted as surplus. The text of 31:733(words between semicolon and colon) is omitted as unnecessary because of chapter 53 of the revised title. The text of 31:733(words after colon) is omitted as superseded by the Bretton Woods Agreement Act (22 U.S.C. 286 et seq.) and sections 6 and 9 of the Act of Oct. 19, 1976 (Pub. L. 94–564, 90 Stat. 2661), repealing 31:449

that provided for parity of the dollar on terms of gold and special drawing rights.

In subsection (c), the word “currency” is substituted for “money or . . . moneys” for clarity and because of 1:1.

In subsection (c)(1), the words “but not also in United States gold coin” and “in such manner” are omitted as surplus.

In subsection (c)(2), the words “dollar” before “amount”, and “value”, are added for clarity. The words “estimated by the Director of the Mint, and” are omitted because of the source provisions restated in section 321(c) of the revised title. The word “published” is substituted for “proclaimed” for clarity.

In subsection (c)(3), the words “as he may determine” are omitted as surplus.

### § 3124. Exemption from taxation

(a) Stocks and obligations of the United States Government are exempt from taxation by a State or political subdivision of a State. The exemption applies to each form of taxation that would require the obligation, the interest on the obligation, or both, to be considered in computing a tax, except—

(1) a nondiscriminatory franchise tax or another nonproperty tax instead of a franchise tax, imposed on a corporation; and

(2) an estate or inheritance tax.

(b) The tax status of interest on obligations and dividends, earnings, or other income from evidences of ownership issued by the Government or an agency and the tax treatment of gain and loss from the disposition of those obligations and evidences of ownership is decided under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.). An obligation that the Federal Housing Administration had agreed, under a contract made before March 1, 1941, to issue at a future date, has the tax exemption privileges provided by the authorizing law at the time of the contract. This subsection does not apply to obligations and evidences of ownership issued by the District of Columbia, a territory or possession of the United States, or a department, agency, instrumentality, or political subdivision of the District, territory, or possession.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 945; Pub. L. 99–514, §2, Oct. 22, 1986, 100 Stat. 2095.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3124(a) .....	31:742.	R.S. §3701; Sept. 22, 1959, Pub. L. 86–346, §105(a), 73 Stat. 622.
3124(b) .....	31:742a.	Feb. 19, 1941, ch. 7, §4, 55 Stat. 9; Mar. 28, 1942, ch. 205, §6, 56 Stat. 190; restated June 25, 1947, ch. 147, 61 Stat. 180; Sept. 22, 1959, Pub. L. 86–346, §202, 73 Stat. 624.

In subsection (a), before clause (1), the words “Except as otherwise provided by law, all . . . bonds, Treasury notes, and other” are omitted as surplus. The words “political subdivision of a State” are substituted for “municipal or local authority” for clarity and consistency. The word “applies” is substituted for “extends” for clarity. The words “directly or indirectly” are omitted as surplus. In clause (1), the word “instead” is substituted for “in lieu” for clarity.

In subsection (b), the words “shares, certificates, stock, or other” and “sale or other” are omitted as surplus. The words “The tax status of . . . and the tax treatment of . . . is decided under the Internal Revenue

Code of 1954 (26 U.S.C. 1 et seq.)” are substituted for “shall not have any exemption, as such . . . shall not have any special treatment, as such, except as provided under the Internal Revenue Code of 1954” for clarity. The words “on or after March 28, 1942” and 31:742a(a)(1st sentence words after semicolon related to the United States Maritime Commission) are omitted as executed. The last sentence is substituted for 31:742a(a)(last sentence) for clarity. The words “any political subdivision thereof” are omitted as included in “agency or instrumentality”. The text of 31:742a(b) and (c) is omitted as unnecessary.

#### AMENDMENTS

1986—Subsec. (b). Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”.

### § 3125. Relief for lost, stolen, destroyed, mutilated, or defaced obligations

(a) In this section, “obligation” means a direct obligation of the United States Government issued under law for valuable consideration, including bonds, notes, certificates of indebtedness, Treasury bills, and interim certificates issued for an obligation.

(b) The Secretary of the Treasury may provide relief for the loss, theft, destruction, mutilation, or defacement of an obligation identified by number and description.

(c)(1) An indemnity bond is required as a condition of relief if the obligation is payable to bearer or assigned so as to become payable to bearer and is not proven clearly to have been destroyed. The Secretary may prescribe for the indemnity bond the form, amount, and surety or security requirements.

(2) Relief for interest coupons claimed to have been attached to an obligation may be provided only if the Secretary is satisfied that the coupons have not been paid and are destroyed or will not become the basis of a valid claim against the Government.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 946.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3125(a) .....	31:738a(d).	July 8, 1937, ch. 444, §8(a)-(d), 50 Stat. 481; Aug. 10, 1939, ch. 665, §4, 53 Stat. 1359; Nov. 8, 1945, ch. 453, §153, 59 Stat. 574; restated May 27, 1971, Pub. L. 92-19, 85 Stat. 74.
3125(b) .....	31:738a(a).	
3125(c)(1)	31:738a(b).	
3125(c)(2)	31:738a(c).	

In the section, the word “obligation” is substituted for “security” in the defined term for consistency in the chapter and the revised title and to eliminate using the word “security” in 2 different ways in the same section.

In subsection (b), the words “Under such regulations as he may deem necessary for the administration of this section” are omitted as unnecessary because of section 321(b) of the revised title.

In subsection (c)(1), the words “whether before, at, or after maturity” and “in effect” are omitted as surplus.

### § 3126. Losses and relief from liability related to redeeming savings bonds and notes

(a) Under regulations prescribed by the Secretary of the Treasury, a loss resulting from a payment related to redeeming a savings bond or

savings note shall be replaced out of the fund established by section 17303(a) of title 40. A Federal reserve bank, a paying agent allowed to make payments in redeeming a bond or note, or an officer or employee of the Department of the Treasury is relieved from liability to the United States Government for the loss when the Secretary decides that the loss did not result from the fault or negligence of the bank, paying agent, officer, or employee. The Secretary shall relieve the bank, agent, officer, or employee from liability when the Secretary decides that written notice of liability or potential liability has not been given to the bank, agent, officer, or employee by the Government within 10 years from the date of the erroneous payment. However, the Secretary may not relieve a paying agent of an assumed unconditional liability to the Government.

(b) Section 17304(c) of title 40 applies to a decision of the Secretary made under this section. A recovery or repayment of a loss for which replacement is made out of the fund shall be credited to the fund and is available for the purposes for which the fund was established.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 946; Pub. L. 107-217, §3(h)(4), Aug. 21, 2002, 116 Stat. 1299.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3126(a) .....	31:757c(i)(1st-4th sentences).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §22(i)(1st-6th sentences); added Apr. 11, 1943, ch. 52, §3, 57 Stat. 63; restated Apr. 3, 1945, ch. 51, §3, 59 Stat. 47; Sept. 22, 1959, Pub. L. 86-346, §103, 31 Stat. 622; Oct. 17, 1968, Pub. L. 90-595, §2, 82 Stat. 1155.
3126(b) .....	31:757c(i)(5th, 6th sentences).	

In subsection (a), the words “qualified” and “authorized or” are omitted as surplus. The words “officer or employee of the Department of the Treasury” are substituted for “Treasury of the United States” and “Treasurer” because of the source provisions restated in section 321 of the revised title and for consistency with other titles of the United States Code. The text of 31:757c(i)(3d sentence) is omitted as surplus because of 39:410. The words “under regulations prescribed by him” are omitted as unnecessary.

#### AMENDMENTS

2002—Subsec. (a). Pub. L. 107-217, §3(h)(4)(A), substituted “section 17303(a) of title 40” for “section 2 of the Government Losses in Shipment Act (40 U.S.C. 722)”.

Subsec. (b). Pub. L. 107-217, §3(h)(4)(B), substituted “Section 17304(c) of title 40” for “Section 3 of the Government Losses in Shipment Act (40 U.S.C. 723) (related to finality of decisions of the Secretary)”.

### § 3127. Credit to officers, employees, and agents for stolen Treasury notes

When an officer, employee, or agent of the United States Government authorized to receive, redeem, or cancel Treasury notes receives or pays a note that was stolen and put in circulation after it had been received or redeemed by an officer, employee, or agent authorized to receive or redeem the note, the Secretary of the Treasury may allow the officer, employee, or agent receiving or paying the stolen note a credit for the amount of the note. The Secretary

may allow the credit only if the Secretary is satisfied that the note was received or paid in good faith and in exercising ordinary prudence.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 947.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3127 .....	31:740.	R.S. §3707.

The word “employee” is added for consistency with other titles of the United States Code. The words “of the United States Government” are added for clarity and consistency. The word “duly” is omitted as surplus. The words “issued by authority of law” are omitted as unnecessary. The words “which has subsequently thereto” are omitted as unnecessary. The words “is satisfied” are substituted for “upon full and satisfactory proof” to eliminate unnecessary words.

#### § 3128. Proof of death to support payment

A finding of death made by an officer or employee of the United States Government authorized by law to make the finding is sufficient proof of death to allow credit in the accounts of a Federal reserve bank or accountable official of the Department of the Treasury in a case involving the transfer, exchange, reissue, redemption, or payment of obligations of the Government, including obligations guaranteed by the Government for which the Secretary of the Treasury acts as transfer agent.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 947.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3128 .....	31:757d.	Sept. 24, 1917, ch. 56, 40 Stat. 288, §23; added Apr. 3, 1945, ch. 51, §4, 59 Stat. 48.

The words “officer or employee” are substituted for “official or agency” for clarity and consistency with other titles of the United States Code. The word “Government” is added for consistency. The words “section 1005 of Appendix to title 50” are omitted because the section was repealed by section 8(a) of the Act of Sept. 6, 1966 (Pub. L. 89-554, 80 Stat. 651). The words “or by any other” are omitted as surplus. The words “or by the Secretary of the Army or the Secretary of the Navy” are omitted because of 10:ch. 75. The word “official” is substituted for “officer” for consistency. The words “bonds and other” are omitted as surplus. The words “Secretary of the Treasury” are substituted for “Treasury Department” for accuracy and consistency.

#### § 3129. Appropriation to pay expenses

(a) Amounts to pay necessary expenses (including rent) for an issue of obligations authorized under this chapter are appropriated to the Secretary of the Treasury. However, the amount appropriated under this section may not be more than—

- (1) .2 percent of the amount of bonds and notes authorized under this chapter;
- (2) .1 percent of the amount of certificates of indebtedness authorized under section 3104 of this title; and
- (3) .1 percent of the amount of certificates of indebtedness authorized under the First Liberty Bond Act.

(b) An appropriation under this section is available for obligation only through the end of

the fiscal year after the fiscal year in which the issue was made. During a period for which an appropriation for a specified amount is made for expenses for which this section makes an appropriation for an unspecified amount, only the appropriation for the specified amount is available for obligation.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 947.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3129 .....	31:753(d)(last sentence less related to 31:771).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §18(d)(last sentence less related to §8); added Mar. 3, 1919, ch. 100, §1, 40 Stat. 1310.
	31:757c(e).	Sept. 24, 1917, ch. 56, 40 Stat. 288, §22(e); added Feb. 4, 1935, ch. 5, §6, 49 Stat. 21; re-stated Feb. 19, 1941, ch. 7, §3, 55 Stat. 8.
	31:759.	Apr. 24, 1917, ch. 4, §8, 40 Stat. 37; May 29, 1928, ch. 901, §1(20)(related to 40 Stat. 37), 45 Stat. 987.
	31:760.	Sept. 24, 1917, ch. 56, §10, 40 Stat. 292; May 29, 1928, ch. 901, §1(20)(related to 40 Stat. 292), 45 Stat. 987; June 1, 1955, ch. 119, §3, 69 Stat. 82.
	31:761.	June 16, 1921, ch. 23, §1(last par. last sentence under heading “Office of the Secretary”), 42 Stat. 36.

In subsection (a), before clause (1), the words “an issue of obligations authorized under this chapter” are substituted for 31:761(less proviso) to reflect consolidation of the authority for issues of obligations in the revised chapter and for consistency. The text of 31:757c(e) is omitted as unnecessary and superseded by 39:410. The words “out of any money in the Treasury not otherwise appropriated” in 31:760 are omitted as unnecessary and for consistency. The words “to be expended as the Secretary of the Treasury may direct” in 31:760 are omitted as surplus. In clause (1), the .2 percent limitation on expenses of bonds referred to in 31:760 is made applicable to a “note” because of the definition of bond in 31:753(d)(last sentence). The words “sections 735 to 738, . . . 765, . . . 773 of this title and section 84 of title 12” in 31:753(d)(last sentence) are omitted because they refer to sections previously repealed (31:735-738, 765) or obsolete (31:773, which was superseded by 39:410) and because 12:84 was amended to express the result required by the source provisions by section 10 of the Act of February 25, 1927 (ch. 191, 44 Stat. 1229).

In subsection (b), the words “appropriation for the specified amount” are substituted for “definite appropriation”, and the words “appropriation for an unspecified amount” are substituted for “indefinite appropriation”, as being more precise. The word “only” is substituted for “and the indefinite appropriation shall not be available for obligation” to eliminate unnecessary words.

#### REFERENCES IN TEXT

The First Liberty Bond Act, referred to in subsec. (a)(3), is act Apr. 24, 1917, ch. 4, 40 Stat. 35, which enacted sections 746, 755, 755a, 759, 764, 774, and 804 of former Title 31 and section 462a of Title 12, Banks and Banking, and amended sections 745 and 768 of former Title 31, and was repealed by Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1072.

#### § 3130. Annual public debt report

(a) GENERAL RULE.—On or before June 1 of each calendar year after 1993, the Secretary of the Treasury shall submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate on—

(1) the Treasury's public debt activities, and  
 (2) the operations of the Federal Financing Bank.

(b) **REQUIRED INFORMATION ON PUBLIC DEBT ACTIVITIES.**—Each report submitted under subsection (a) shall include the following information:

(1) A table showing the following information with respect to the total public debt:

(A) The past levels of such debt and the projected levels of such debt as of the close of the current fiscal year and as of the close of the next 5 fiscal years under the most recent current services baseline projection of the executive branch.

(B) The past debt to GDP ratios and the projected debt to GDP ratios as of the close of the current fiscal year and as of the close of the next 5 fiscal years under such most recent current services baseline projection.

(2) A table showing the following information with respect to the net public debt:

(A) The past levels of such debt and the projected levels of such debt as of the close of the current fiscal year and as of the close of the next 5 fiscal years under the most recent current services baseline projection of the executive branch.

(B) The past debt to GDP ratios and the projected debt to GDP ratios as of the close of the current fiscal year and as of the close of the next 5 fiscal years under such most recent current services baseline projection.

(C) The interest cost on such debt for prior fiscal years and the projected interest cost on such debt for the current fiscal year and for the next 5 fiscal years under such most recent current services baseline projection.

(D) The interest cost to outlay ratios for prior fiscal years and the projected interest cost to outlay ratios for the current fiscal year and for the next 5 fiscal years under such most recent current services baseline projection.

(3) A table showing the maturity distribution of the net public debt as of the time the report is submitted and for prior years, and an explanation of the overall financing strategy used in determining the distribution of maturities when issuing public debt obligations, including a discussion of the projections and assumptions with respect to the structure of interest rates for the current fiscal year and for the succeeding 5 fiscal years.

(4) A table showing the following information as of the time the report is submitted and for prior years:

(A) A description of the various categories of the holders of public debt obligations.

(B) The portions of the total public debt held by each of such categories.

(5) A table showing the relationship of federally assisted borrowing to total Federal borrowing as of the time the report is submitted and for prior years.

(6) A table showing the annual principal and interest payments which would be required to amortize in equal annual payments the level (as of the time the report is submitted) of the

net public debt over the longest remaining term to maturity of any obligation which is a part of such debt.

(c) **REQUIRED INFORMATION ON FEDERAL FINANCING BANK.**—Each report submitted under subsection (a) shall include (but not be limited to) information on the financial operations of the Federal Financing Bank, including loan payments and prepayments, and on the levels and categories of the lending activities of the Federal Financing Bank, for the current fiscal year and for prior fiscal years.

(d) **RECOMMENDATIONS.**—The Secretary of the Treasury may include in any report submitted under subsection (a) such recommendations to improve the issuance and sale of public debt obligations (and with respect to other matters) as he may deem advisable.

(e) **DEFINITIONS.**—For purposes of this section—

(1) **CURRENT FISCAL YEAR.**—The term “current fiscal year” means the fiscal year ending in the calendar year in which the report is submitted.

(2) **TOTAL PUBLIC DEBT.**—The term “total public debt” means the total amount of the obligations subject to the public debt limit established in section 3101 of this title.

(3) **NET PUBLIC DEBT.**—The term “net public debt” means the portion of the total public debt which is held by the public.

(4) **DEBT TO GDP RATIO.**—The term “debt to GDP ratio” means the percentage obtained by dividing the level of the total public debt or net public debt, as the case may be, by the gross domestic product.

(5) **INTEREST COST TO OUTLAY RATIO.**—The term “interest cost to outlay ratio” means, with respect to any fiscal year, the percentage obtained by dividing the interest cost for such fiscal year on the net public debt by the total amount of Federal outlays for such fiscal year.

(Added Pub. L. 103–202, title II, §201(a), Dec. 17, 1993, 107 Stat. 2355.)

## **CHAPTER 33—DEPOSITING, KEEPING, AND PAYING MONEY**

### **SUBCHAPTER I—DEPOSITS AND DEPOSITARIES**

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3302.	Custodians of money.
3303.	Designation of depositaries.
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### **SUBCHAPTER II—PAYMENTS**

3321.	Disbursing authority in the executive branch.
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